

## Washington, Wednesday, January 27, 1913

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Keau	lations

#### TITLE 7-AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

PART 722-COTTON

PROCLAMATION OF REFERENDUM RESULTS, 1943—14

By virtue of the authority vested in the Secretary of Agriculture by section 347 of the Agricultural Adjustment Act of 1933, as amended, the following proclamation is hereby issued:

§ 722.403 Results of cotton referendum.¹ (a) In the referendum of farmers who were engaged in production of the 1942 crop of cotton, conducted by the Secretary of Agriculture on December 12, 1942, to determine whether such farmers were in favor of or opposed to marketing guotas for cotton for the marketing year beginning August 1, 1943, the total number of votes cast were 762,856 and of the total number of votes so cast 657,452 votes, or 86.2 percent, were in favor of, and 105,404 votes, or 13.8 percent, were opposed to, such marketing quotas.

(b) The National marketing quota for cotton for the marketing year beginning August 1, 1943, proclaimed by the Secretary of Agriculture on November 6, 1942, will be in effect for such year.

(Sec. 347 of the Act, 52 Stat. 59; 7 U.S.C., Sup., 1347)

Done at Washington, D. C., this 26th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

Ferrat 1

CLAUDE R. WICKARD, Secretary of Agriculture.

[F. R. Doc. 43–1320; Filed, January 26, 1943; 11:48 a. m.]

<sup>1</sup>Tabulation by states and counties was filed as part of the original document.

# Chapter XI—Food Distribution Administration

[Food Distribution Order 1,1 Amendment 2]

PART 1404-BAKERY PRODUCTS

MANUFACTURE AND SALE OF EREAD, ROLLS AND OTHER BAKERY PRODUCTS

Pursuant to the authority vested in me by Executive Order No. 9280, dated Dacember 5, 1942, Food Distribution Order No. 1, § 1404.1 (7 F.R. 11105), is amended by:

(a) Inserting at the end of paragraph (a) the following:

(11) "Bakery products" mean bread, rolls, sweet rolls, cakes, pies, cookies, doughnuts, biscuits, crackers, pretzels, ice cream cones and similar products prepared by bakers.

(b) Striking out paragraph (b) (2) and inserting in lieu thereof:

(2) No person shall make or sell any loaves of sliced bread or sliced rolls except that until March 18, 1943, sliced bread weighing one pound or more per loaf, may be sold and delivered in not less than 20 pound lots to restaurants, hotels, institutions, or commissaries for service with meals.

(c) Striking out in paragraph (b) (5) the words "bread or rolls", after the words "other seller of", and after the words "for sale any", and inserting in lieu thereof in both instances the words "bakery products".

(d) Striking out paragraph (b) (7) and renumbering paragraphs (b) (8) and (b) (9) as paragraphs (b) (7) and (b) (8) respectively.

(E.O. 9280, 7 F.R. 10179)

Issued this 25th day of January 1943.
[SEAL] CLAUDE R. WICHARD,
Secretary of Agriculture.

[F. R. Doc. 43-1281; Filed, January 25, 1943; 4:28 p. m.]

27 FR. 11105; 8 FR. 828.

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#### TITLE 16-COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission
[Docket No. 3965]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THE SHERWIN-WILLIAMS CO., ET AL.

§ 3.45 (e) Discriminating in price discrimination—Cumulative Indirect discounts: § 3.45 (e) Discriminating in price — Indirect discrimination — Discounts and allowances. In connection with distribution and sale of "trade sale line paint products," in commerce, and in the District of Columbia, and on the part of respondent The Sherwin-Williams Co., its successors, etc., and among other things, as in order set forth, with respect to practices of respondents The Lowe Brothers Company and John Lucas & Company, subsidiaries of said The Sherwin-Williams Co., (1) continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers-operating a number or chain of retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets; (2) continuing or resuming under a per order discount plan, as above set out, or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, a 10% or other substantially sim-·ilar flat discount from said dealers list prices, in lieu of the quantity per order discounts available thereunder; and (3) continuing or resuming under such or a similar plan the practice of granting and allowing to purchasers the 10%, 8% or 6% discounts based upon quantity per order, when the so-called "order" upon which said discounts are based is not in fact a single order but represents a number of orders from a single purchaser accumulated over a definite or indefinite period of time; prohibited. (Sec. 2 (a), 49 Stat. 1526, 15 U.S.C., sec. 13 (a)) [Cease and desist order, The SherwinWilliams Co., et al., Docket 3965, January 8, 1943]

§ 3.45 (d) Discriminating in price-Functional classification: § 3.45 (e) Discriminating in price-Indirect discrimination-Discounts and allowances. In connection with distribution and sale of 'trade sale line paint products" in commerce, and in the District of Columbia, and on the part of respondent The Lowe Brothers Company, its successors, etc., and among other things, as in order set forth, as respects respondent The Sherwin-Williams Co., parent company, and respondent John Lucas & Company, Inc., subsidiary also of said The Sherwin-Williams Co., (1) continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets; (2) continuing or resuming, under a per order discount plan, as above described, together with a 14 percent discount on carload or truckload (20,000 lbs. or more) purchases for shipment direct from the factory, or under any plan substantially similar thereto, the granting and allowing to any of its dealer customers from whom it has or shall have purchased, leased or rented warehouse space any quantity per order discounts which are greater, different or other than the quantity per order discounts available thereunder to all dealer customers purchasing in the same per order quantities; (3) granting and allowing under a discount plan providing a 5% discount from dealers list prices for annual purchases totalling less than \$500, a 10% discount for annual purchases in excess of \$500 and a 15% discount on carload or truckload (20,000 lbs. or more) purchases for shipment direct from the factory, or under any plan substantially similar thereto, to any of its dealer customers from whom it has or shall have purchased, leased or rented warehouse space, any carload discounts or any discounts in lieu of carload discounts, except with respect to the actual carload or truckload purchases of such dealers shipped direct from the factory: (4) discriminating in price between dealer and dealer-distributor customers through the practice followed under present and prior discount plans of granting and allowing to some of its dealer-distributor customers discounts (in addition to the regular per order or volume discounts from dealers list prices in effect at the time and granted and allowed to all of its customers) on such portion of the purchases of said favored dealer-distributor customers as is sold at retail through the wholly owned and operated retail stores of said dealer-distributor customers; and (5) discriminating in price between its customers through the practice followed

under present and prior discount plans of granting and allowing to some of its customers in a particular locality special or additional discounts (in addition to the regular per order or volume discounts from dealers list prices in effect at the time and granted and allowed to all its customers) on purchases made by said favored customers which are not resold by them to other dealers, while not granting and allowing such special or additional discounts on such purchases to all of its customers in such locality; prohibited. (Sec. 2 (a), 49 Stat. 1526, 15 U.S.C., sec. 13 (a) [Cease and desist order, The Sherwin-Williams Co., et al., Docket 3965, January 8, 1943]

§ 3.45 (d) Discriminating in price-Functional classification: § 3.45 (e) Discriminating in price-Indirect discrimination-Discounts and allowances. In connection with distribution and sale of "trade sale line paint products" in commerce, and in the District of Columbia, and on the part of respondent John Lucas & Company, Inc., its successors, etc., and among other things, as in order set forth, with respect to the trade practices of respondent The Sherwin-Williams Co., parent company, and respondent The Lowe Brothers Company, subsidiary also of said The Sherwin-Williams Co., (1) continuing or resuming, under a per order discount plan providing a 6% discount from dealers' list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets; (2) discriminating in price between dealer and dealer-distributor customers through the practice followed under present and prior discount plans of granting and allowing to some of its dealer-distributor customers discounts (in addition to the regular per order or volume discounts from dealers' list prices in effect at the time and granted and allowed to all of its customers) on such portion of the purchases of said favored dealer-distributor customers as is sold at retail through the wholly owned and operated retail stores of said dealer-distributor customers; and (3) discriminating in price between its customers through the practice followed under present and prior discount plans of granting and allowing to some of its customers in a particular locality special or additional discounts (in addition to the regular per order or volume discounts from dealers' list prices in effect at the time and granted and allowed to all its customers) on purchases made by said favored customers which are not resold by them to other dealers, while not granting and allowing such special or additional discounts on such purchases to all of its customers in such locality; prohibited. (Sec. 2 (a), 49 Stat. 1526, 15 U.S.C., sec.

13 (a) [Cease and desist order, The Sherwin-Williams Co., et al., Docket 3965, January 8, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of January, A. D. 1943.

In the Matter of The Shcrwin-Williams Co., a Corporation, The Lowe Brothers Company, a Corporation, and John Lucas & Company, Inc., a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the joint answer of the respondents, and two stipulations as to the facts dated December 6, 1940, and October 20, 1942, respectively, signed by counsel for the Commission and counsel for the respondents, in which it is provided that the statement of facts contained therein may be accepted as the facts in this proceeding in lieu of testimony in support of the charges stated in the complaint and in opposition thereto, and the taking of testimony and all intervening procedure having been waived and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of section 2 (a) of an Act of Congress approved October 15, 1914, entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" (The Clayton Act), as amended by Act of Congress approved June 19, 1936 (The Robinson-Patman Act):

It is ordered, That the respondent The Sherwin-Williams Co., a corporation, its successors and assigns and its officers, directors, agents and employees, in connection with the distribution and sale of trade sale line paint products in commerce between the several states of the United States and in the District of Columbia, do forthwith cease and desist:

1. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 3% discount for an order of 48 to 84 gallons and a 10% discount for an order of £4 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets;

2. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 64 gallons and a 10% discount for an order of 64 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, a 10% or other substantially similar flat discount from said dealers list prices, in lieu of the quantity per order discounts available thereunder;

3. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% dis-

count for an order of 43 to 34 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers the 10%, 8% or 6% discounts based upon quantity per order, when the so-called "order" upon which said discounts are based is not in fact a single order but represents a number of orders from a single purchaser accumulated over a definite or indefinite period of time.

It is further ordered, That the respondent, The Lowe Bros. Company, a corporation, its successors and assigns and its officers, directors, agents and employees, in connection with the distribution and sale of trade sale line paint products in commerce between the several states of the United States and in the District of Columbia, do forthwith cease and desist:

1. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 64 gallons or more or under any plan substantially similar thereto the practice of granting and allowing to purchasers operating a number or chain of retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is solit into several shipments to various of the said retail distribution outlets;

2. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 43 gallons, an 8% discount for an order of 48 to 84 gallons, a 10% discount for an order of 84 gallons or more and a 14% discount on carload or truckload (20,000 lbs. or more) purchases for shipment direct from the factory, or under any plan substantially similar thereto, the granting and allowing to any of its dealer customers from whom it has or shall have purchased, leased or rented warehouse space any quantity per order discounts which are greater, different or other than the quantity per order discounts available thereunder to all dealer customers purchasing in the same per order quantities;

3. From granting and allowing under a discount plan providing a 5% discount from dealers list prices for annual pur-chases totalling less than \$500,-a 10% discount for annual purchases in excess of \$500 and a 15% discount on carload or truckload (20,000 lbs. or more) purchases for shipment direct from the factory, or under any plan substantially similar thereto, to any of its dealer customers from whom it has or shall have purchased, leased or rented warehouse space, any carload discounts or any discounts in lieu of carload discounts, except with respect to the actual carload or truckload purchases of such dealers shipped direct from the factory;

4. From discriminating in price between dealer and dealer-distributor customers through the practice followed under present and prior discount plans of granting and allowing to some of its dealer-distributor customers discounts (in addition to the regular per order or volume discounts from dealers list prices

in effect at the time and granted and allowed to all of its customers) on such portion of the purchases of said favored dealer-distributor customers as is sold at retail through the wholly owned and operated retail stores of said dealerdistributor customers;

5. From discriminating in price be-tween its customers through the practice followed under present and prior discount plans of granting and allowing to some of its customers in a particular locality special or additional discounts (in addition to the regular per order or volume discounts from dealers list prices in effect at the time and granted and allowed to all its customers) on purchases made by said favored customers which are not resold by them to other dealers, while not granting and allowing such special or additional discounts on such purchases to all of its customers in such locality.

It is further ordered, That the respondent, John Lucas and Company, Inc., a corporation, its successors and assigns and its officers, directors, agents and employees, in connection with the distribution and sale of trade sale line paint products in commerce between the several states of the United States and in the District of Columbia, do forth-with cease and desist:

- 1. From continuing or resuming, under a per order discount plan providing a 6% discount from dealers list prices for an order of 24 to 48 gallons, an 8% discount for an order of 48 to 84 gallons and a 10% discount for an order of 84 gallons or more or under any plan substantially similar thereto, the practice of granting and allowing to purchasers operating a number or chain or retail distribution outlets, the 10%, 8% or 6% discounts based upon quantity per order, when the said order is split into several shipments to various of the said retail distribution outlets:
- 2. From discriminating in price between dealer and dealer-distributor customers through the practice followed under present and prior discount plans of granting and allowing to some of its dealer-distributor customers discounts (in addition to the regular per order or volume discounts from dealers list prices in effect at the time and granted and allowed to all of its customers) on such portion of the purchases of said favored dealer-distributor customers as is sold at retail through the wholly owned and operated retail stores of said dealer-distributor customers;
- 3. From discriminating in price between its customers through the practice followed under present and prior discount plans of granting and allowing to some of its customers in a particular locality special or additional discounts (in addition to the regular per order or volume discounts from dealers list prices in effect at the time and granted and allowed to all its customers) on purchases made by said favored customers which are not resold by them to other dealers, while not granting and allowing such special or additional discounts on such purchases to all of its customers in such locality.

It is further ordered. That the charges set out in Paragraphs Seventeen A. C. D and E of the complaint be and the same are hereby dismissed without prejudice to the right of the Commission to proceed thereon in the future in any appropriate manner.

It is further ordered, That the respondents named in the caption hereof, within sixty (60) days after service upon them of this order, file with the Federal Trade Commission a report in writing setting forth in detail the manner and form in which they have complied and are complying with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 43-1318; Filed, January 26, 1943; 11:33 a. m.]

#### [Docket No. 4707]

#### PART 3-DIGEST OF CEASE AND DESIST ORDERS

#### PARKER-M'CRORY MANUFACTURING CO.

§ 3.6 (a 10) Advertising falsely or misleadingly—Comparative data or mer-its: § 3.6 (t) Advertising falsely or misleadingly—Qualities or properties of product or service: § 3.6 (x) Advertising falsely or misleadingly—Results. In connection with offer, etc., in commerce. of electric fence controllers designated Parmak Electric Fencers, or any other similar device, representing, directly or indirectly, (1) that the use of a single wire with its electric fence controller will hold all livestock, including fence breakers; or that the use of its device is a positive, sure and certain method of confining livestock; (2) that the use of its said device cuts fencing costs to less than \$10.00 per mile or results in a saving of 90%, or any other specific percentage of saving in excess of that ordinarily obtained; or that the cost of fencing through the use of said device and the savings resulting therefrom are other than is actually the fact: (3) that its said device will hold livestock as effectively as a steel or concrete enclosure: and (4) that the use of said device will hold or confine animals, unless it is further clearly stated that prior and proper training of animals by causing them to come in contact with a wire or wires charged with electricity is necessary: prohibited. (Sec. 5, 38 Stat. 719, as amended by sec., 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Parker-McCrory Manufacturing Com-pany, Docket 4707, January 13, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent and a stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondent upon the record, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Parker-McCrory Manufacturing Company, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of its electric fence controller designated Parmak Electric Fencers, or any other device of substantially similar composition or possessing substantially similar properties, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from rep-

resenting, directly or indirectly;
1. That the use of a single wire with its electric fence controller will hold all livestock, including fence breakers; or that the use of its device is a positive, sure and certain method of confining livestock;

- 2. That the use of its said device cuts fencing costs to less than \$10.00 per mile or results in a saving of 90%, or any other specific percentage of saving in excess of that ordinarily obtained; or that the cost of fencing through the use of said device and the savings resulting therefrom are other than is actually the
- 3. That its said device will hold livestock as effectively as a steel or concrete enclosure:
- 4. That the use of said device will hold or confine animals, unless it is further clearly stated that prior and proper training of animals by causing them to come in contact with a wire or wires charged with electricity is necessary.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 43-1319; Filed, January 26, 1943; 11:33 a. m.1

#### TITLE 24—HOUSING CREDIT

Chapter II-Federal Savings and Loan System

[Bulletin 14]

CONSERVATORS AND RECEIVERS FOR FEDERAL SAVINGS AND LOAN ASSOCIATIONS

PART 204-MERGER, REORGANIZATION, DISSO-LUTION, AND LIQUIDATION

JANUARY 25, 1943.

The rules and regulations for the Federal Savings and Loan System are hereby amended, effective January 25, 1943, as follows:

- 1. By repealing §§ 204.3, 204.4 and 204.5 thereof.
- 2. By changing the number of §§ 204.17 to 204.3.
- 3. (a) By adding a new Part 208-Powers of Receiver and Conduct of Re-

ceiverships to said Rules and Regulations; (b) By placing the following sections thereunder with their numbers changed as indicated:

Former number	New number
204.6	208.1
204.7	208.2
204.8	
204.9	
204.10	
204.11	208 B
204.12	
204.13	208 8
204.14	208.0
204.15	208.10

and (c) by changing to § 208.1 the references in that section formerly numbered § 204.7, now renumbered § 208.2, which references are to that section formerly numbered § 204.6, now renumbered § 208.1; by changing to paragraph (a) of § 208.2 the references in those sections formerly numbered § 204.8, now renumbered § 208.3, and § 204.10, now renumbered § 208.5, which references are to paragraph (a) of that section formerly numbered § 204.7, now renumbered § 208.2; and by changing to § 208.4 the references in those sections formerly numbered § 204.11, now renumbered § 208.6, and § 204.12, now renumbered § 208.7, which references are to that section formerly numbered § 204.9, now renumbered § 208.4.

4. By adding to said rules and regulations the following new parts and sections thereunder:

PART 205-APPOINTMENT OF CONSERVATOR OF RECEIVER FOLLOWING REQUEST

205.1 Request for appointment of conservator or receiver.

205.2

Possession by examiner.
Appointment by Federal Home Loan
Bank Administration. 205.3

AUTHORITY: §§ 205.1 to 205.3, inclusive, issued under sec. 5 (a), (d), 48 Stat. 132, 133; 12 U.S.C. 1464 (a), (d); E.O. 9070, 7 F.R. 1529.

§ 205.1 Request for appointment of conservator or receiver. The board of directors of any Federal association may request the Federal Home Loan Bank Administration to appoint a conservator or receiver, whichever the Federal Home Loan Bank Administration shall deter-

§ 205.2 Possession by examiner. Pending action on such request, the board of directors may, by resolution. with the consent of the Governor of the Federal Home Loan Bank System or any Deputy or Assistant Governor, turn the association over to a Federal Home Loan Bank Administration examiner, who shall furnish bond in form and amount and with surety acceptable to said Governor, Deputy or Assistant Governor. If the association is turned over to an examiner, he shall forthwith post a notice in substantially the following form on the door of the home office of the association:

By request of the board of directors of this Association, the undersigned is temporarily in charge of \_ \_\_\_\_\_ Federal Savings and Loan Association \_\_\_

> (Date) (Examiner, Federal Home Loan Bank Administration)

No business shall be transacted by the association when in possession of an examiner, except that the examiner may take such action in his name or in the name of the association as, in his judgment, is necessary to protect the interests of the association or those of its creditors or members, and, for the period of his possession, all rights, powers and privileges of its officers and directors shall be suspended, except the right to address petitions to the Federal Home Loan Bank Administration. The expenses incurred by the examiner during such period, including the cost of his bond and the charges for his services as determined by the Governor, Deputy or Assistant Governor, shall be paid out of the assets of the association.

§ 205.3 Appointment by Federal Home Loan Bank Administration. The Federal Home Loan Bank Administration, upon receipt of request by the board of directors of an association, as provided in § 205.1 hereof, may, if it shall find cause for such appointment as stated in § 206.1 hereof, appoint a conservator or receiver, in its discretion, for such association. If an examiner shall be in possession of the association, the Federal Home Loan Bank Administration may order the examiner to turn the association over to the conservator or receiver, or, if the Federal Home Loan Bank Administration shall not appoint a conservator or receiver, may order the examiner to turn the association back to the board of directors.

PART 206-APPOINTMENT OF CONSERVATOR OR RECEIVER

208.1 Receiver or conservator, appointment. 206.2 Hearing on appointment. 206.3 Costs of hearings.

206.4 Discharge of concervator or receiver.

AUTHORITY: §§ 200.1 to 200.4, inclusive, insued under sec. 5 (a), (d), 48 Stat. 132, 133; 12 U.S.C. 1464 (a), (d); E.O. 8070, 7 F.R. 1623.

§ 206.1 Receiver or conservator, appointment. (a) Whenever, in the opinion of the Federal Home Loan Bank Administration, any Federal savings and loan association:

(1) Is conducting its business in an unlawful, unauthorized, or unsafe

(2) Is in an unsound or unsafe condition, or has a management which is unsafe or unfit, or has a person or persons in a position or situation of dominance or control, or exercising dominance or control, who is or are an unsafe or improper person or persons to be in such position or situation or to exercise such dominance or control;

(3) Cannot with safety continue in business:

(4) Is impaired in that its assets do not have an aggregate value (in the judgment of the Federal Home Loan Bank Administration) at least equal to the aggregate amount of its liabilities to its creditors, members, and all other persons:

(5) Is in imminent danger of becoming impaired;

(6) Is pursuing a course that is jeopardizing or injurious to the interests of its members, creditors, or the public;

(7) Has suspended payment of its obligations;

(8) Has refused to submit its books. papers, records, or affairs for inspection to any examiner or lawful agent appointed by the Federal Home Loan Bank Administration;.

(9) Has refused by the refusal of any of its officers, directors, or employees to be examined upon oath by the Federal Home Loan Bank Administration or its representative concerning its affairs; or

(10) Has failed or refused to observe 2 lawful order of the Federal Home Loan Bank Administration.

the Federal Home Loan Bank Adminisistration may appoint the Federal Savings and Loan Insurance Corporation receiver for such Federal association, which appointment shall be for the purpose of liquidation, or the Federal Home Loan Bank Administration may appoint a conservator for such Federal association to conserve the assets of the assoclation pending further disposition of its affairs. The appointment shall be by order, which order shall-state on which of the above causes the appointment is based. Any conservator so appointed chall furnish bond for himself and his employees, in form and amount and with surety acceptable to the Governor of the Federal Home Loan Bank System, or any Deputy or Assistant Governor, but no bond shall be required of the Federal Savings and Loan Insurance Corporation as receiver. The conservator or receiver shall forthwith upon-appointment take possession of the association and. at the time such conservator or receiver shall demand possession, such conservator or receiver shall notify the officer or employee of the association, if any, who shall be in the home office of the association and appear to be in charge of such office, of the action of the Federal Home Loan Bank Administration. The Secretary of the Federal Home Loan Bank Administration shall, forthwith upon adoption thereof, mail a certified copy of the order of appointment to the address of the association as it shall appear on the records of the Federal Home Loan Bank Administration and to each director of the association, known by the Secretary to be such, at the last address of each as the same shall appear on the records of the Federal Home Loan Bank Administration. If such certified copy of the order appointing the conservator or recaiver is received at the offices of the association after the taking of possession by the conservator or receiver, such conservator or receiver shall hand the same to any officer or director of the association who may make demand therefor.

§ 206.2 Hearing on appointment. Within fourteen days (Sundays and holidays included) after the appointment of a conservator or receiver for a Federal association not at the time of such appointment in the hands of a conservator, such Federal association, which has not, by its board of directors, consented to or requested the appointment of a conservator or receiver, may file an answer and serve a written demand for a hearing, authorized by its board of directors, which demand shall state the address to which notice of hearing shall be sent. Upon receipt of such answer and written demand for a hearing the Federal Home Loan Bank Administra-

tion shall issue and serve a notice of hearing upon the institution by mailing a copy of the order of hearing to the address stated in the demand therefor and shall conduct a hearing, at which time and place the Federal association may appear and show cause why the conservator or receiver should not have been appointed and why an order should be entered by the Federal Home Loan Bank Administration discharging the conservator or receiver. Such hearing shall be held either in the district of the Federal Home Loan Bank of which such Federal association is a member or in Washington, D. C., as the Federal Home Loan Bank Administration shall determine, unless the association otherwise consents in writing. Such hearing may be held before the Federal Home Loan Bank Commissioner or before a trial examiner or hearing officer, as the Federal Home Loan Bank Administration shall determine. Such Federal association, which has not, by its board of directors, consented to or requested the appointment of a conservator or receiver, may, within seven days (Sundays and holidays included) of such appointment, serve a written or telegraphic demand, authorized by its board of directors, upon the Federal Home Loan Bank Administration for a more definite statement of the cause or causes for the action. The time of service upon the Federal Home Loan Bank Administra-The time of service upon the tion for the purposes of this section shall be the time of receipt by the Secretary of the Federal Home Loan Bank Administration.

§ 206.3 Costs of hearings. Costs. as determined by the Federal Home Loan Bank Administration, of hearings held pursuant to § 206.2 may be assessed against the association demanding the same upon the order of the Federal Home Loan Bank Administration unless the Federal Home Loan Bank Administration finds upon such hearing that there is no cause for the appointment of a conservator or receiver.

§ 206.4 Discharge of conservator or receiver. An order of the Federal Home Loan Bank Administration discharging a conservator and returning the association to its management shall restore to such Federal association all its rights, powers and privileges and shall restore the rights, powers and privileges of its officers and directors, all as of the time specified in such order, except as such order may otherwise provide. An order of the Federal Home Loan Bank Administration discharging a receiver and returning the association to its management shall by operation of law and without any conveyance or other instrument. act or deed, restore to such Federal association all its rights, powers and privi-leges, revest in such Federal association the title to all its property, and restore the rights, powers and privileges of its officers and directors, all as of the time specified in such order, except as such order may otherwise provide.

PART 207-POWERS OF CONSERVATOR AND CONDUCT OF CONSERVATORSHIPS

Sec.

207.1

Take possession, when. Procedure upon taking possession. 207.2 207.3

Succession. 207.4

Disposition.

207.5 Powers and duties of conservator.

207.6 Creditors. Share interests.

207.8 Examinations, inventories, reports, costs and expenses.

207.9 Final discharge and release of conconservator.

207.10 Inspection of reports.

AUTHORITY: §§ 207.1 to 207.10, inclusive, issued under sec. 5 (a), (d), 48 Stat. 132, 133; 12 U.S.C. 1464 (a), (d); E.O. 9070, 7 F.R. 1529.

§ 207.1 Take possession, when. Upon appointment, the conservator for a Federal association shall forthwith take possession of the books, records and assets of every description of such association.

§ 207.2 Procedure upon taking possession. Upon taking possession, pursuant to § 207.1 of these rules and regulations, of such Federal association, the conservator shall forthwith:

(a) Post a notice in substantially the following form on the door of the home

office of such association:

----- Federal Savings and Loan Assois in the possession and charge of the undersigned as Conservator under appointment by the Federal Home Loan Bank Administration.

> (Date) (Conservator)

(b) Notify, by written notice served personally or by registered mail or telegraph, all banks, trust companies and all other individuals, partnerships, corporations, and associations known to such conservator to be holding or in possession of any assets of such association.

(c) File with the Secretary of the Federal Home Loan Bank Administration a statement (1) that he has taken possession, pursuant to § 207.1 of these rules and regulations, of such Federal association and (2) of the posting and time of posting of the notice pursuant to the provisions of paragraph (a) of this section, together with a copy of such notice: and such statement shall be conclusive evidence of the posting and time of posting of such notice.

§ 207.3 Succession. Immediately upon the posting of the notice on the door of such Federal association as provided in paragraph (a) of § 207.2 of these rules and regulations, the conservator shall succeed to all the rights, powers and privileges of the Federal association, its officers and directors, or any of them. Such officers and directors, or any of them, shall not thereafter have, exercise, or act in connection with, any such rights, powers or privileges, or any asset or property of any nature of the association: Provided, however, That nothing herein shall deny to such officers and directors the right from time to time to

address such petitions, authorized by the board of directors, as they may have to the Federal Home Loan Bank Administration or its representatives designated to receive such petitions concerning such association, or to represent the association at hearings provided for in these rules and regulations.

§ 207.4 Disposition. Unless the Federal Home Loan Bank Administration shall otherwise order, the Governor of the Federal Home Loan Bank System shall within twenty days of the appointment of the conservator recommend to the Federal Home Loan Bank Administration a plan for the reorganization, consolidation, merger, liquidation or other disposition of the association. If such plan shall provide for the ultimate restoration of the association to normal operations without an involuntary writedown in the association's share capital, the Federal Home Loan Bank Administration may order the conservator to carry such plan into effect. The Federal Home Loan Bank Administration may, at any time, order the association returned to its management and may, before returning the association to its management regardless of whether such association is subsequently returned to its management, order a meeting of the shareholders for any purpose, including, without any limitation on the generality of the foregoing, election of new directors, or of the board of directors for any purpose, including, without any limitation on the generality of the foregoing, the filling of vacancies on the board of directors or the election of new officers. or may order meetings of both members and directors. Each such election shall be supervised by a representative of the Federal Home Loan Bank Administration. The Federal Home Loan Bank Administration may at any time, without further hearing as provided in § 206.2 of these rules and regulations, replace the conservator by appointing the Federal Savings and Loan Insurance Corporation as receiver for the purpose of liquidation.

§ 207.5 Powers and duties of conservator. The conservator, subject to the direction and supervision of the Governor of the Federal Home Loan Bank System, shall, after posting notice pursuant to paragraph (a) of § 207.2 of these rules and regulations, take such action as may be necessary to conserve the assets of the association pending further disposition of its affairs. The conservator shall forthwith in his name, in the name of the association, in the name of both, or otherwise, collect all obligations and money due the association, and in his name, in the name of the association, in the name of both, or otherwise

(a) May do all things desirable or expedient in his discretion to carry on the business of the association to an extent consistent with his appointment and to preserve and conserve the assets and property of every nature of such association;

(b) May exercise all the rights and powers of such association, including, without any limitation on the generality of the foregoing, any rights and powers under any mortgage, deed of trust, chose in action, option, collateral note, contract, judgment or decree, share or certificate of share of stock, or instrument of any nature;

(c) May, with the approval of the Federal Home Loan Bank Administration or of said Governor, pay off and discharge any taxes, assessments, liens, claims, or charges of any nature against the association or the conservator or any asset or property of any nature of such

association:

(d) May pay out and expend 'such sums as he shall deem necessary or advisable

(1) For or in connection with the preservation, maintenance, conservation

or protection, or

(2) With the approval of the Federal Home Loan Bank Administration or of said Governor for or in connection with the remodeling, repair, rehabilitation or improvement not necessary for such preservation, maintenance, conservation or protection

of any asset or property of such association;

(e) May, with the approval of the Federal Home Loan Bank Administration or of said Governor,

(1) Pay out and expend such sums as he shall deem necessary or advisable for or in connection with the preservation, maintenance, conservation or protection of or

(2) Pay off and discharge any taxes, assessments, liens, claims or charges of

any nature against,

any asset or property of any nature on which the association or conservator has a lien by way of mortgage, deed of trust, pledge or otherwise, or in which the association or conservator has an interest of

value of any nature;

(f) May, under the direction and supervision of the General Counsel of the Federal Home Loan Bank Administration, institute, prosecute, maintain, defend, intervene, and otherwise participate in any and all actions, suits, or other legal proceedings by and against the conservator or association or in which the conservator, the association, or its creditors or members, or any of them, shall have an interest, and in every way to represent such association, its members and creditors;

(g) (1) May, with the approval of said Governor, employ such assistants and employees as he may deem necessary for the proper administration of the conservatorship, and shall by bond cover all such assistants and employees in form satisfactory to such conservator and to the said Governor, the cost of the same and the cost of the conservator's bond to be paid out of the assets of the association in the possession of the conservator; and (2) shall employ any attorney or attorneys designated by the General Counsel of the Federal Home Loan Bank Administration, in connection with liti-

gation or otherwise to give legal advice and assistance, for the conservatorship generally or in particular instances, and pay retainers and compensation of such attorney or attorneys, together with all expenses, including, but not limited to, the costs and expenses of any litigation, as approved by said General Counsel, out of the assets of the association;

(h) May execute, acknowledge, and deliver any and all deeds, contracts, leases, assignments, bills of sale, releases, extensions, satisfactions, and other instruments necessary or proper for any purposes, including, without any limitation on the generality of the foregoing, the effectuation or termination of any sale, lease, or transfer of real, personal or mixed property. Any deed or other instrument executed pursuant to the authority hereby given shall be as valid and effectual for all purposes as if the same had been executed, as the act and deed of the association or otherwise, by the officers of such association by authority of its board of directors;

(i) Shall immediately transfer the depository bank balances of the association to Account "R" hereinafter provided for, or to the account with the Federal Home Loan Bank, of which the association is a member, hereinafter provided for, and, unless otherwise directed by the Federal Home Loan Bank Administration or said Governor, shall open two accounts in banks insured by the Federal Deposit Insurance Corporation, as

follows:

(1) One of these accounts shall be known as Account "R" and the other shall be known as Account "D".

(2) All funds of the association coming into the possession of the conservator shall be forthwith deposited in Account "R".

(3) Disbursements shall be made from Account "R" only by transfer to an account with the Federal Home Loan Bank of which the association is a member, which transfer may be made by the conservator.

(4) Deposits shall be made in Account "D" only by order of or with the approval of the Federal Home Loan Bank Administration or the Governor.

(5) The conservator may make disbursements in connection with his duties as conservator from Account "D".

(6) All depository bank accounts of the conservator shall be carried as follows:

(Name of concervator)

### (Name of association)

(j) (1) May, with the approval of the Federal Home Loan Bank Administration or said Governor, sell for cash any mortgage, deed of trust, chose in action, bond, note, contract, judgment or decree, or share or certificate of share of stock or debt, owing to such association, at not less than the actual amount owing the association thereon or the face or par value thereof, and

(2) May, with the approval of the Federal Home Loan Bank Administration, or on terms and conditions approved by the Federal Home Loan Bank Adminis-

tration, sell for eash or on terms, or exchange or otherwise dispose of, at less than the amount owing the association thereon or the face or par value thereof, in whole or in part, any mortgage, deed of trust, chose in action, bond, note, contract, judgment or decree, share or certificate of share of stock or debt, owing to such association;

(E) (1) May lease on a month to month basis, or for a term of not to exceed one year, and (2) may, with the approval of the Federal Home Loan Bank Administration, or on terms and conditions approved by the Federal Home Loan Bank Administration, sell for cash or on terms, lease for a period of more than one year, exchange or otherwise dispose of, in whole or in part, any or all of the assets and property of the association, real, personal, and mixed, tangible and intangible, of any nature;

(1) May, with the approval of the Federal Home Loan Bank Administration or of said Governor, or on terms and conditions approved by the Federal Home Loan Bank Administration or said Governor, surrender, abandon, and release any choses in action, or other assets or property of any nature, whether the subject of pending litigation or not, and reject or repudiate any lease or contract which he considers burdensome:

(m) May, with the approval of the Federal Home Loan Bank Administration, or on terms and conditions approved by the Federal Home Loan Bank Administration, settle, compromise, or obtain the release of, for cash or other considerations, claims and demands against such association or the conservator;

(n) May, with the approval of the Federal Home Loan Bank Administration, or on terms and conditions approved by the Federal Home Loan Bank Administration, settle, compromise, or release, for cash or other considerations, claims and demands in favor of the asso-

ciation or the conservator;

(o) May, with the approval of the Federal Home Loan Bank Administration, and on terms and conditions approved by the Federal Home Loan Bank Administration, borrow money in any amount and from any source and in any manner, and execute, acknowledge and deliver notes, certificates, and other evidence of indebtedness therefor and secure the repayment thereof by the mortgage, pledge, assignment in trust or hypothecation of any or all of the property, whether real, personal, or mixed, of such association, and such borrowing may be for any purpose, including, without any limitation on the generality of the foregoing, protecting or preserving the assets in his possession, declaring and paying dividends to members and creditors, providing for the expense of administration, or aiding in the reopening or reorganization of such association;

(p) May pay out of the assets of the conservatorship all costs and expenses of the conservatorship and all costs of carrying out or exercising his rights, powers, privileges and duties as conservator, all as determined by him, except as otherwise provided herein; and

(q) May do such things, and have such rights, powers, privileges, immunities, and duties, whether or not otherwise granted in these rules and regulations, as shall be authorized, directed, conferred, or imposed from time to time in specific cases by order of the Federal Home Loan Bank Administration, or by amendment of these rules and regulations.

For the purposes of this section, (1) asset and property including any mortgage, deed of trust, chose in action, bond, note, contract, judgment or decree, share or certificate of share of stock, or debt of the association, and right and power of the association, shall include any such asset or property, right or power of the conservator, and (2), the terms "Governor of the Federal Home Loan Bank System" and "said Governor" shall include any Deputy or Assistant Governor of the Federal Home Loan Bank System.

§ 207.6 Creditors. The conservator may, after certification by the conservator to the Federal Home Loan Bank Administration that the assets of the association will be sufficient to meet all creditor obligations and that the condition of the association justifies, out of the assets in his possession,

(a) With the approval of the Governor of the Federal Home Loan Bank System, or any deputy or assistant governor, make disbursements which the association was obligated to make on loan commitments and other valid contracts,

(b) With the approval of said Governor, pay salaries due officers or employees of the association, permit the payment of outstanding checks given in connection with valid creditor obligations, and pay valid creditor obligations,

or, in the absence of such certification or approval, may, out of the assets of the association in his possession, pay creditor obligations and make disbursements which the association was obligated to make on loan commitments, to the extent determined by said Governor to be compatible with the condition of the association and the proper conduct of its affairs.

§ 207.7 Share interests. The conservator shall not accept any payments on or purchases, or make any repurchases, of share accounts, unless the Federal Home Loan Bank Administration shall otherwise direct by order, which order, or orders, shall be posted in a conspicuous place in the principal office of the conservator for conducting the affairs of the association, and such payments or purchases shall be accepted, or such repurchases made, only to the extent and in the manner, and with segregation to the extent, that the same, if any, may be directed in such order or orders.

§ 207.8 Examinations, inventories, reports, costs and expenses—(a) Inventory. As soon as practicable after taking possession, the conservator shall make an inventory of the assets of such association as of the date of such taking possession, showing the value as carried on the books of the association, and the security

therefor, if any, in whatever form the same shall exist, with a brief description of each such asset and such security. Such assets may be listed in such groups or classes as shall, to the satisfaction of the Governor of the Federal Home Loan Bank System, or any deputy or assistant governor, afford full information as to their character and book value, and the conservator shall include a record of the creditor and share liabilities of the association. One copy of such inventory shall promptly be filed with the Secretary to the Federal Home Loan Bank Administration, one copy with the Office of the Governor of the Federal Home Loan Bank System, and one copy shall be retained in the principal office of the association, so long as such office is maintained by the conservator.

(b) Examinations and audits. Each Federal association for which a conservator has been appointed may be examined and/or audited (with appraisals when deemed advisable by the Federal Home Loan Bank Administration) by the Examining Division of the Federal Home Loan Bank Administration as directed by the Federal Home Loan Bank Administration. The cost, as determined by the Federal Home Loan Bank Administration, of examinations including office analysis thereof, audits, and any appraisals made in connection therewith. shall be paid from the assets of the association unless otherwise ordered by the Federal Home Loan Bank Administration.

(c) Forms and reports. The conservator shall follow such accounting practices as may, from time to time, be prescribed by the Governor. The conservator shall make such reports as may be required by the Federal Home Loan Bank Administration or the Governor.

§ 207.9 Final discharge and release of conservator—(a) Final report. At such time as the conservator be relieved of his duties, the conservator shall file with the Federal Home Loan Bank Administration a detailed report in form satisfactory to the Federal Home Loan Bank Administration.

(b) Final discharge. Unless otherwise directed by the Federal Home Loan Bank Administration, upon the completion of the duties of the conservator or at such time as the conservator shall be otherwise relieved of his duties, an examination and audit may be directed by the Federal Home Loan Bank Administration in connection with the report of the conservator hereinbefore required. The accounts of the conservator shall be approved or disapproved, and, if approved, the conservator shall thereupon be given a complete and final discharge and release.

§ 207.10 Inspection of reports. All inventories, statements and reports of the conservator shall be in at least four copies unless otherwise directed by the Federal Home Loan Bank Administration or the Governor. One copy shall be filed with the Federal Home Loan Bank Administration, the other copies with the Office of the Governor of the Federal Home Loan Bank System, and each of the inventories, statements, and reports

shall constitute permanent records of each conservatorship open for inspection at such times and on such conditions as may be from time to time directed by the Federal Home Loan Bank Administration or, in the absence of such directions, whenever the office of the Secretary of the Federal Home Loan Bank Administration shall be open for business.

5. By changing the number of  $\S$  204.10 to be  $\S$  206.5.

[SEAL]

John H. Fahey, Federal Home Loan Bank Commissioner.

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[F. R. Doc. 43-1279; Filed, January 25, 1943; 2:15 p. m.]

#### TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

Subchapter I—War Rental Housing Insurance
PART 582—WAR RENTAL HOUSING INSURANCE APPLICABLE TO ALL MORTGAGES
INSURED

Administrative regulations for war rental housing insurance under section? 608 of the National Housing Act, applicable to all mortgages insured under section 608.

Section 582.8 (a) (7 F.R. 4265) is hereby amended by striking the first sentence and substituting in lieu thereof the following:

If the mortgagor fails to make any payment due under or provided to be paid by the terms of the mortgage, whether or not such failure to pay is caused by failure to perform some other covenant or obligation under the mortgage because of which the mortgagee has declared the full amount due and payable under an acceleration clause contained therein, and such failure continues for a period of thirty (30) days, the mortgage shall be considered in default and the mortgagee shall within thirty (30) days thereafter give notice in writing to the Commissioner of such default.

Issued at Washington, D. C., this 23d day of January 1943.

[SEAL] ABNER H. FERGUSON, Federal Housing Commissioner.

[F. R. Doc. 43-1280; Filed, January 25, 1943; 3:04 p. m.]

#### TITLE 29—LABOR $\hookrightarrow$

Chapter V-Wage and Hour Division

PART 626—MINIMUM WAGE RATE IN THE GRAIN PRODUCTS INDUSTRY

In the matter of the recommendation of Industry Committee No. 42 for a minimum wage rate in the grain products industry.

Whereas on February 13, 1942, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the

Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 141, appointed Industry Committee No. 42 for the grain products industry, herein called the committee, and directed the committee to recommend minimum wage rates for the grain products industry in accordance with section 8 of the Act; and

Whereas the committee included seven disinterested persons representing the public, a like number of persons representing employers in the grain products industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the grain products industry is carried on; and

Whereas on March 12, 1942, the committee, after investigating economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendation for a 40cent minimum hourly wage rate in the

grain products industry; and
Whereas after notice duly published in the Federal Register on April 4, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing upon the committee's recommendation at Washington, D. C., on April 20, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator; and

Whereas by notice published in the Federal Register on May 5, 1942, opportunity to submit written briefs on or before June 17, 1942, was afforded all parties: and

Whereas no request for oral argument having been received, oral argument on the committee's recommendation was dispensed with in this proceeding; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the committee's recommendation for the grain products industry, as defined in Administrative Order No. 141, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 42 for a Minimum Wage Rate in the Grain Products Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46 Street, New York, New York.

Now, therefore, It is ordered, That:

Sec. Approval of recommendation of In-626.1

Posting of notices. 626.3

dustry Committee No. 42. Wage rates. 626.2

Sec. 626.4 Definition of the grain products industry. Scope of the definition.

626.5 626.6 Effective date.

AUTHORITY: \$\$ 626.1 to 626.6, inclusive, icsued under sec. 8, 52 Stat. 1064; 23 U.S.C., Supp. IV, 208.

§ 626.1 Approval of recommendation of Industry Committee No. 42. The Committee's recommendation is hereby approved.

§ 626.2 Wage rates. Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Grain Products Industry who is engaged in commerce or in the production of goods for commerce.

§ 626.3 Posting of notices. Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the grain products industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 626.4 Definition of the grain products industry. For the purpose of this order the term "grain products industry" means the handling, warehousing, and storing of grain when performed in conjunction with milling operations, and the processing of grain or alfalfa into food products or feeds. It includes, but without limitation, the production of flour, prepared or blended flours, breakfast cereals, coffee substitutes, pearl barley, hominy, flakes, grits, rice, meal, feeds and prepared or mixed feeds, including those made wholly or in part from such products as cottonseed, soy beans, or peanuts (but not the crushing of such products), except those made principally from meat products. It does not include the production of bakery products such as bread, cakes, pastries, and macaroni.

§ 626.5 Scope of the definition. The definition of the grain products industry covers all occupations in the industry which are necessary to the production of the products covered by the definition, including clerical, maintenance, shipping, and selling occupations, Provided, however, That such clerical, maintenance. shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: And provided further, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 626.6 Effective date. This wage order shall become effective March 1, 1943.

Signed at New York, New York, this 22d day of January 1943.

> L. METCALFE WALLING. Administrator.

[F. R. Dcc. 43-1273; Filed, January 25, 1943; 11:22 a. m.]

PART 627-MINIMUM WAGE RATE IN THE CANDY AND RELATED PRODUCTS MANUFAC-TURING INDUSTRY

In the matter of the recommendation of Industry Committee No. 47 for a minimum wage rate in the candy and related products manufacturing industry.

Whereas on August 14, 1942, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 150, appointed Industry Committee No. 47 for the candy and related products manufacturing industry, herein called the committee, and directed the committee to recommend minimum wage rates for the candy and related products manufacturing industry in accordance with section 8 of the Act; and

Whereas the committee included five disinterested persons representing the public, a like number of persons representing employers in the candy and related products manufacturing industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the candy and related products manufacturing industry is carried on; and

Whereas on September 16, 1942, the committee, after investigating economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendations for 40-cent minimum hourly wage rates in the candy and related products manufacturing industry; and

Whereas after notice duly published in the Federal Register on September 22, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing upon the committee's recommendations at Washington, D. C., on October 14, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator: and

Whereas no request for oral argument having been received, oral argument on the committee's recommendations was dispensed with in this proceeding; and

Whereas by notice published in the Fideral Register on October 24, 1942, opportunity to submit written briefs was afforded all parties; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to

the provisions of the Act with special reference to sections 5 and 8, has concluded that the committee's recommendations for the candy and related products manufacturing industry as defined by Administrative Order No. 150, are made in accordance with law, are supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of Industry Committee No. 47 for Minimum Wages Rates in the Candy and Related Products Manufacturing Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46 Street, New York, New York.

Now, therefore, It is ordered, That:

Sec.

627.1 Approval of recommendations of Industry Committee No. 47.

627.2 Wage rates.

627.3 Posting of notices.

627.4 Definition of the candy and related products industry.

627.5 Scope of the definition.

627.6 Effective date.

AUTHORITY: §§ 627.1 to 627.6, inclusive, issued under sec. 8, 52 Stat. 1064, 29 U.S.C., Supp. IV, 208.

§ 627.1 Approval of recommendations of Industry Committee No. 47. The Committee's recommendations are hereby approved.

§ 627.2 Wage rates. Wages at not less than the following rate per hour shall be paid under section 6 of the Act by every employer to each of his employees in the candy and related products manufacturing industry who is engaged in commerce or in the production of goods for commerce:

(a) Forty cents to be paid for: the production of chocolate and cocoa products;

(b) Forty cents to be paid for: the production of candied, crystallized or glace fruits and fruit peels; and

(c) Forty cents to be paid for: the production of any other products of the candy and related products manufacturing industry.

§ 627.3 Posting of notices. Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the candy and related products manufacturing industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 627.4 Definition of the candy and related products manufacturing industry. For the purpose of this order the term "candy and related products manufacturing industry" means the production of candies and related products, including, but without limitation, stuffed fruits; candied, crystallized or glace

fruits and fruit peels; candied popcorn; salted, sugared or roasted nuts; chocolate and cocoa products; marshmallow creme; and chewing gum: Provided, That the shelling and cleaning of nuts are excluded except where the operations are performed in plants also engaged in the further processing of nuts.

§ 627.5 Scope of the definition. The definition of the candy and related products manufacturing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: Provided, however, That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: And provided further, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 627.6 Effective date. This wage order shall become effective March 29, 1943.

Signed at New York, New York, this 22d day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-1274; Filed, January 25, 1943; 11:22 a. m.]

PART 628—MINIMUM WAGE RATE IN THE HANDKERCHIEF MANUFACTURING INDUSTRY

In the matter of the recommendation of Industry Committee No. 46 for a minimum wage rate in the Handker-chief Manufacturing Industry.

Whereas on July 23, 1942, by Administrative Order No. 149, the Acting Administrator, pursuant to sections 5 and 8 of the Fair Labor Standards Act of 1938, appointed Industry Committee No. 46 for the handkerchief manufacturing industry, and directed the committee to recommend minimum wage rates for the handkerchief manufacturing industry in accordance with section 8 of the Act; and

Whereas the committee included three disinterested persons representing the public, a like number of persons representing employers in the handkerchief manufacturing industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the handkerchief manufacturing industry is carried on; and

Whereas Industry Committee No. 46 on August 14, 1942, after investigation of conditions in the industry, filed with the

Administrator a report containing its recommendations for a minimum wage rate of 40 cents an hour in the handker-chief manufacturing industry; and

Whereas after notice duly published in the Federal Register on September 5, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing on October 7, 1942 at New York, New York, upon the committee's recommendation and upon the question of what, if any, prohibition, restriction or regulation of home work is necessary to carry out the purposes of the wage order for the handkerchief manufacturing industry, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein, in the event an order is issued approving the recommendations of the committee, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer was transmitted to the Administrator; and

Whereas all persons who appeared at the hearing were given leave to file briefs on or before November 4, 1942, and to present oral argument before the Administrator on November 12, 1942; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the committee's recommendations for the handkerchief manufacturing industry as defined by Administrative Order No. 149, are made in accordance with law, are supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the committee, will carry out the purposes of section 8 of the Act and that it is necessary to include terms and conditions in the wage order for this industry with respect to industrial home work to carry out the purpose of such order, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 46 for a Minimum Wage Rate in the Handkerchief Manufacturing Industry and Industrial Home Work in the Handkerchief Manufacturing Industry" dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

Now, therefore, It is ordered, That:

Sec.

628.1 Approval of recommendation of Industry Committee No. 46.

628.2 Wage rate.

628.3 Restriction of home work.

628.4 Posting of notices.

628.5 Definition of the handkerchief manufacturing industry.

628.6 Scope of the definition.

628.7 Effective date.

AUTHORITY: §§ 628.1 to 628.7, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C., Supp. IV, 208.

§ 628.1 Approval of recommendation of Industry Committee No. 46. The committee's recommendation is hereby approved.

§ 628.2 Wage rate. (a) Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the handkerchief manufacturing industry who is engaged in commerce or in the production of goods for commerce.

§ 628.3 Restriction of home work. No work in the handkerchief manufacturing industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment after April 25, 1943, except by such persons as have obtained special homework certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the handkerchief manufacturing industry prior to October 7, 1942, or is at any time engaged in such industrial home work under the supervision of a State vocational rehabilitation agency or of a sheltered workshop, as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, and is unable to adjust to factory work because of age, or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

§ 628.4 Posting of notices. Every employer employing any employees engaged in commerce or in the production of goods for commerce in the handkerchief manufacturing industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 628.5 Definition of the handkerchief manufacturing industry. For the purpose of this order the term "handkerchief manufacturing industry" means the manufacture of men's, women's and children's handkerchiefs, plain or ornamented, from any materials.

§ 628.6 Scope of the definition. The definition of the handkerchief manufacturing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping and selling occupations: Provided, however, That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: And provided further, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 628.7 Effective date. This wage order shall become effective February 15, 1943.

Signed at New York, New York this 22d day of January 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-1275; Filed, January 25, 1943; 11:22 a. m.]

PART 628—REGULATIONS APPLICABLE TO THE EMPLOYMENT OF HOME WOMENS IN THE HANDKERCHIEF MANUFACTURING IN-DUSTRY

The following regulations, §§ 623.100-628.112 applicable to the employment of industrial home workers in the hand-kerchief manufacturing industry are hereby issued pursuant to sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, and § 628.3 of the Regulations of the Wage and Hour-Division. These regulations shall become effective, April 26, 1943, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

Whereas section 8 (f) of the Fair Labor Standards Act of 1938 provides as follows:

Orders issued under this section shall • • • contain such terms and conditions as the Administrator finds necessary to carry out the purpose of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates established therein. • • •

And whereas § 628.3 of the wage order for the handkerchief manufacturing industry issued pursuant to section 3 (f) of the Act provides as follows:

No work in the handkerchief manufacturing industry, as defined herein, chall be done in or about a home, apartment, tenement, or room in a residential establishment after April 25, 1943, except by such persons as have obtained special home-work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was en-gaged in industrial home work in the handkerchief manufacturing industry prior to October 7, 1942, or is at any time engaged in such industrial nome work under the cupervision of a State vocational rehabilitation agency or of a sheltered workshop as defined in § 525.1, Part 525, Chapter V, Title 23, Code of Federal Regulations, and is unable to adjust to factory work because of age, or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

And whereas section 11 (c) of the Act provides as follows:

Every employer subject to any provision of this Act or of any order issued under this Act shall make, keep and preserve such records of the persons employed by him and of the wages, hours and other conditions and practices of employment maintained by him, and shall preserve such records for such periods of time, and shall make such reports

therefrom to the Administrator as he shall preceribe by regulation or order as necessary or appropriate for the enforcement of the providence of this Act or the regulations or orders thereunder.

Now, therefore, the following regulations are hereby issued. These regulations shall become effective on April 26, 1943, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

623.101 Definitions.

623.162 Application on official forms.

623.163 Terms and conditions for the iscuance of certificates.

623.104 Investigation may be ordered to determine whether the facts justify the issuance of certificate.

623.105 Termination of certificates.

623.103 Reveration and cancellation.

623.167 Precervation of certificate.

618.163 Records and reports.

623.163 Wage rates.

23.110 Delegation of authority to grant,

diny or cancel a certificate.

623.112 Fatition for amendment of regulations.

AUTHORITY: §§ 623.101 to 623.112, inclusive, indued under 23 C.F.R. 623.3; sec. 8 (f), 11 (c); 52 Stat. 1664, 1666; 23 U.S.C. 202 (f), 211 (c).

§ 623.101 Definitions. As used in these regulations, the term "industrial home work" means the production by any person in or about a home, apartment, tenement, or room in a residential establishment, for an employer, of goods from material furnished directly by or indirectly for such employer. As used in these regulations the term "hand-kerchief manufacturing industry" means the manufacture of men's, women's and children's handkerchiefs, plain or ornamented, from any materials.

§ 628.102 Application on oficial forms. Certificates authorizing the employment of industrial home workers in the handkerchief manufacturing industry may be issued upon the following terms and conditions upon application therefor on forms provided by the Wage and Hour Division. Such forms shall be signed by both the home worker and the employer.

§ 623.103 Terms and conditions for the issuance or certificates. If the application is in proper form and sets forth facts showing that the worker:

(a) (1) Was engaged in industrial home work in the handkerchief manufacturing industry prior to October 7,

(2) Is or will be engaged in such industrial home work under the supervision of a State vocational rehabilitation agency or of a sheltered workshop as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations.

(b) Is unable to adjust to factory work because of age or physical or mental disability.

(c) Is unable to leave home because the worker's presence is required to care for an invalid in the home.

a certificate may be issued authorizing the applicant employer to employ the worker in industrial home work in the handkerchief manufacturing industry.

No home worker shall perform industrial home work for more than one employer in the handkerchief manufacturing industry, but home work employ-ment in another industry shall not be a bar to the issuance of a certificate for the handkerchief manufacturing industry.

§ 628.104 Investigation may be ordered to determine whether the facts justify the issuance of certificate. An investigation may be ordered in any case to obtain additional data or facts. A medical examination of the worker or invalid may be ordered for a certification of facts concerning eligibility for the certificate by designated officers of the State or Federal Government may be required.

§ 628.105 Termination of certificates. Certificates shall be valid under the terms set forth in the certificate for a period of not more than 12 months from the date of issuance or such shorter period as may be fixed in the certificate. Application for renewal of any certificate shall be filed in the same manner as an original application under these regulations.

§ 628.106 Revocation and cancellation. Any certificate may be revoked for cause at any time. Violation of any provision of the Fair Labor Standards Act shall be sufficient grounds for revocation of all certificates issued to an employer, in which event no certificates shall be issued to the offending employer for a period of one year. In any proceedings for the revocation or cancellation of a certificate, interested parties shall be provided an opportunity to be heard.

§ 628.107 Preservation of certificate. A copy of the certificate shall be sent to the home worker, who shall keep such certificate on the premises on which the work is performed.

A copy of the certificate shall be sent to the employer, who shall keep this copy on file in the same place at which the worker's employment records are maintained.

§ 628.108 Records and reports. The issuance of a certificate shall not relieve the employer of the duty of maintaining the records required by Regulations. Part 516, and failure to keep such records shall be sufficient cause for the cancellation of certificates issued to such an employer.

Each employer of industrial home workers in the handkerchief manufacturing industry shall submit to the regional office of the Wage and Hour Division for the region in which his place of business is located on April 1 and October 1 of each year, the home work handbooks of each employee employed by him during the preceding six month period in industrial home work in the handkerchief manufacturing industry. This report shall also include a list of the names, addresses, and certificate numbers of home workers for whom home work certificates have been obtained, but who were not employed in industrial home work in the handkerchief manufacturing industry during such period.

§ 628.109 Wage rates. Wages at a rate of not less than 40 cents per hour shall be paid by every employer to each. of his home work employees except as subminimum employment of specific handcapped workers has been provided for by special certificates issued by the Wage and Hour Division pursuant to Regulations, Parts 524, and 525. All hours worked in excess of 40 in any workweek shall be compensated for at one and one-half times the regular rate of pay.

§ 628.110 Delegation of authority to grant, deny or cancel a certificate. The Administrator may from time to time designate and appoint members of his staff or State agencies as his authorized representatives with full power and authority to grant, deny or cancel home work certificates.

§ 628.111 Petition for review. Any person aggrieved by the action of an authorized representative of the Administrator in granting or denying a certificate may, within 15 days thereafter or within such additional time as the Administrator for cause shown may allow. file with the Administrator a petition for review of the action of such representative praying for such relief as is desired. Such petition for review, if duly filed, will be acted upon by the Administrator or an authorized representative of the Administrator who took no part in the proceeding being reviewed. All interested parties will be afforded an opportunity to present their views in support of or in opposition to the matters prayed for in the petition.

§ 628.112 Petition for amendment of regulations. Any person wishing a revision of any of the terms of the foregoing regulations may submit in writing to the Administrator a petition setting forth the changes desired and reasons for proposing them. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the rules and regulations set forth, the Administrator will either schedule a hearing with due notice to interested persons or will make other provisions to afford interested persons opportunity to present their views in support of or in opposition to the proposed changes.

Signed at New York, N. Y., this 22d day of January 1943.

> L. METCALFE WALLING, Administrator.

[F. R. Doc. 43-1276; Filed, January 25, 1943; 11:26 a. m.]

PART 629-MINIMUM WAGE RATE IN THE SEAMLESS HOSIERY INDUSTRY

In the matter of the recommendation of Industry Committee No. 21 for a minimum wage rate in the seamless hosiery industry.

Whereas on September 23, 1942, pursuant to section 5 of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Acting Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 158, reconvened Industry Committee No. 21 for the seamless hosiery industry, which committee had been previously appointed by Administrative Order No. 84 dated February 17, 1941, herein called the committee, and directed the committee to recommend minimum wage rates for the seamless hosiery industry in accordance with section 8 of the Act; and

Whereas the committee included three disinterested persons representing the public, a like number of persons representing employers in the seamless hosiery industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the seamless hosiery industry is carried on; and

Whereas on November 2, 1942, the committee, after investigating economic and competitive conditions in the seamless hosiery industry, filed with the Administrator a report containing its recommendation for a 40-cent minimum hourly wage rate in the seamless hosiery industry; and

Whereas after notice published in the FEDERAL REGISTER on November 5, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing upon the committee's recommendation at New York, New York on November 24, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act, with special reference to sections 5 and 8, has concluded that the industry committee's recommendation for the seamless hosiery industry, as defined by Administrative Order No. 158; is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 21 for a Minimum Wage Rate in the Seamless Hosiery Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division. United States Department of Labor, New York, New York;

Now, therefore, It is ordered, That:

629.1 Approval of recommendation of industry committee.

629.2 Wage rate.

629.3 Posting of notices. 629.4 Definition of the seamless hosiery industry. 629.5 Scope of the definition.

629.6 Effective date.

AUTHORITY: §§ 629.1 to 629.6, inclusive, issued under sec. 8, 52 Stat. 1064, 29 U.S.C., Supp. IV, sec. 208.

§ 629.1 Approval of recommendation of industry committee. The committee's recommendation is hereby approved.

§ 629.2 Wage rate. Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in the seamless hosiery industry.

§ 629.3 Posting of notices. Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the seamless hosiery industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 629.4 Definition of the seamless hosiery industry. For the purpose of this order the term "seamless hosiery industry" means: The manufacturing or processing of seamless hosiery, including among other processes the knitting, dyeing, clocking and all phases of finishing seamless hosiery, but not including the manufacturing or processing of yarn or

§ 629.5 Scope of the definition. The definition of the seamless hoisery industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping and selling occupations: Provided, however, That this definition does not include employees of an independent wholesaler or employees of a manufacturer who are engaged exclusively in marketing and distributing products of the industry which have been purchased for resale: And provided further, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 629.6 Effective date. This wage order shall become effective February 15, 1943.

Signed at New York, New York this 22d day of January 1943.

> L. METCALFE WALLING, Administrator.

[F. R. Doc. 43-1277; Filed, January 25, 1943; 11:23 a. m.]

PART 630-MINIMUM WAGE RATES IN THE CONVERTED PAPER PRODUCTS INDUSTRY

In the matter of the recommendation of Industry Committee No. 48 for a minimum wage rate in the converted paper products industry.

Whereas on August 15, 1942, pursuant to section 5 of the Fair Labor Standards Act of 1938, hereinafter referred to as the Act, the Administrator of the

Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 152 appointed Industry Committee No. 48 for the converted paper products industry, herein called the committee, and directed the committee to recommend minimum wage rates for the converted paper products industry in accordance with section 8 of the Act; and

Whereas the committee included seven disinterested persons representing the public, a like number of persons representing employers in the converted paper products industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the converted paper products industry is carried on: and

Whereas on September 10, 1942, the committee, after investigating economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendation for a 40 cent minimum hourly wage rate in the converted paper products industry; and

Whereas after notice published in the FEDERAL REGISTER on September 22, 1942, Major Robert N. Campbell, the presiding officer designated by the Administrator, held a public hearing upon the committee's recommendation at New York, New York, on October 21, 1942, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Adminis-

trator; and

Whereas by notice given at the hearing, all persons who appeared at the hearing were given leave to file briefs on or before November 12, 1942; and

Whereas no request for oral argument having been received, oral argument on the committee's recommendation was dispensed with in this proceeding; and

Whereas the Administrator upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the industry committee's recommendation for the converted paper products industry as defined in Administrative Order No. 152 is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 48 for a. Minimum Wage Rate in the Converted Paper Products Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, New York, New York;

Now, therefore, It is ordered, That:

Approval of recommendation of indus-630.1 try committee.

C30.2 Wage rate.

F303

Posting of notices.
Definition of the converted paper €30.4 products industry

Ecopo of the definition.

€30.6 Effective date.

AUTHORITY: \$\$ 630.1 to 630.6, inclusive, incued under sec. 8, 52 Stat. 1064; 29 U.S.C. Sup. IV, 203.

§ 630.1 Approval of recommendation of industry committee. The Committee's recommendation is hereby approved.

§ 630.2 Wage rate. Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the converted paper industry as defined in Administrative Order No. 152 who is engaged in commerce or in the production of goods for commerce.

§ 630.3 Posting of notices. Every employer employing any employees engaged in commerce or in the production of goods for commerce in the converted paper products industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 630.4 Definition of the converted paper products industry. The converted paper products industry to which this wage order applies is defined as follows:

The manufacture of all products which have as a basic component pulp, paper or board (as those terms are used in Administrative Order No. 41 defining the pulp and primary paper industry) and the manufacture of all like products in which synthetic materials, such as cellophane, pliofilm or synthetic resin, used in sheet form, is a basic component: Prorided, however, That the manufacture of the following shall not be included:

(a) Any product the manufacture of which is covered by a wage order of the Administrator relating to the textile, apparel, hat, millinery, shoe, pulp and primary paper, carpet and rug, portable lamp and shade, or luggage, leather goods and women's handbag industry.

(b) Any product, such as rayon, cellophane, etc., made from such pulp by a process which involves the destruction of the original fibrous structure of such pulp.

(c) Reofing paper, insulation board and products therefrom for use as build-

ing materials, or shingles.

(d) Newspapers, magazines, books, blueprints, photographs and other products in which graphic art is the exclusive medium through which the products function: Provided, however, That the production of printed forms, stationery, blank books, and tablets, other than the printing thereof in a job printing establishment, and the production of other products in the use of which graphic art is applied by the ultimate consumer of the products, shall be included within the converted paper products industry as herein defined.

§ 630.5 Scope of the definition. The definition of the converted paper products industry covers all occupations in the industry which are necessary to the production of the products specified in the definition, including clerical, maintenance, shipping and selling occupations: Provided, however, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 630.6 Effective date. This wage order shall be effective February 15, 1943.

Signed at New York, New York, this 22d day of January 1943.

L. Metcalfe Walling,
Administrator.

[F. R. Doc. 43-1278; Filed, January 25, 1943; 11:22 a. m.]

#### TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board Subchapter B—Director General for Operations PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[General Preference Order E-1-b as Amended Jan. 26, 1943]

§ 997.2 General Preference Order E-1-b—(a) Definitions. (1) "Machine tools" include the products listed in schedule hereto attached and marked Exhibit A¹ and divided into two groups designated Group I and Group II for the purpose of this order as hereinafter specified. The term "tool" means a machine tool. Each machine tool includes not only the basic machine tool includes not only the basic machine tooling covered by the original purchase order which are required to be delivered with the tool to make it usable in production for the purposes intended, but does not include any replacements, or spare parts or equipment, or extra tooling, ordered by the purchaser.

(2) "Producer" means any individual, partnership, association, corporation, or other form of enterprise engaged in producing any products listed in Exhibit A.

ducing any products listed in Exhibit A. (3) "Service purchasers" means those whose preference rating certificates, or whose endorsed purchase orders, show that the preference rating applied to such delivery was assigned thereto by an original Preference Rating Certificate PD-3, PD-3A, or PD-4, or by Preference Rating Order P-19-h, calling for delivery to a supply arm or bureau of the Army or Navy, or to the United States Maritime Commission, or to one of their prime contractors, or to a subcontractor of such a prime contractor.

(4) "Foreign purchasers' means those whose purchase orders show that the tool is to be delivered to or for the account of a foreign country (other than Canada), or a subdivision, agency, or instrumentality thereof: *Provided*, That such purchase orders have been placed by the Ordnance Department (Army) or by the

Procurement Division of the Treasury Department, with or without a preference rating certificate; or, in the case of purchase orders placed prior to May 1, 1942 by a purchasing or procurement agent of a foreign country, where such purchase orders have been scheduled pursuant to a preference rating certificate, a Special Allocation Order No. 1, or General Preference Order No. E-3.

(5) "Other purchasers" means all purchasers other than service purchasers and foreign purchasers, to whose purchase orders a preference rating has been assigned\_including Canadian.

(6) "Class" when used herein means one of the foregoing three classes of purchasers: namely, service purchasers, foreign purchasers, or other purchasers.

(7) "Size" as used herein may include all of those dimensions or variations of a particular type of tool which can be used interchangeably for production purposes.

(b) Revocation of previous order. General Preference Order No. E-1-a Revised, including the Numerical Master Preference List, Revision No. 1, is revoked as of May 1, 1942 as to machine tools, and shall thereafter be of no further force or effect with respect to machine tools except as present schedules and urgency standings are continued by paragraph (c) of this order. Makers of gages and chucks will continue to schedule their production according to General Preference Order No. E-1-a, Revised, until further order of the Director General for Operations.

(c) Production and delivery of machine tools during November 1942 and until further notice. Notwithstanding any other provisions of this order, each producer shall schedule 75 percent of his production and delivery of each size of each type of machine tool during the balance of the calendar month of November 1942 and each month thereafter as follows, until further notice:

(1) Each producer forthwith shall divide into two types all purchase orders placed by each of the seven groups of Service purchasers (Bureau of Ships, Bureau of Ordnance, Ordnance Department, Air Services, Miscellaneous Bu-reaus and Branches, Maritime Commission, and Signal Corps) which specify as the required delivery date the month being scheduled or a previous month, such types being designated as Type 1 orders and Type 2 orders. The "required de-livery date" is the date specified on the endorsement accompanying the purchase order, as changed by any subsequent instruction given on Form WPB-27, Form WPB-1588, or otherwise, by the War Production Board, or by any postponement thereof by the purchaser.

Type 1 orders shall include the following:

(i) Any purchase order for delivery to any Service Purchaser in the "Air Services" group (called "Air Forces" in Exhibits A and B to General Preference Order E-1-b). "Air Services" includes the Army Air Forces, the Navy Bureau of Aeronautics, their respective prime contractors and subcontractors, and the U. S. Corps of Engineers with respect to purchases made for the account of the Army Air Forces; and in addition thereto,

(ii) Any purchase order for delivery to any prime contractor listed on the preferred customers list (Exhibit C attached to this order) or any subcontractor of such a prime contractor. No purchase order from a prime contractor on the preferred customers list, or from his subcontractors, shall be classed as a Type 1 order, however, unless the endorsement required by paragraph (h) of this order to be placed by such purchaser on his purchase order, or the preference rating certificate itself if transferred to the producer, shows that the machine tool ordered is for use on the prime contract specified opposite the prime contractor's name on such Preferred Customers List.

Type 2 orders shall include all other purchase orders placed by Service purchasers which do not fall in Type 1

orders.

(2) The producer shall total all Type 1 orders from Service purchasers for the size and type of tool being scheduled, which specify as the required delivery date the month being scheduled or a previous month. Where 75 percent of the production of the size and type of tool being scheduled for delivery in any month is greater than the total Type 1 orders received from all Service purchaser groups specifying that month or a previous month as the required delivery date, all such Type 1 orders shall be scheduled for delivery in that month regardless of the effect on any Type 2 orders. The residue of such 75 percent shall be scheduled for delivery against Type 2 orders from the remaining Service purchaser groups in accordance with the percentage quotas established by Exhibit A to this order, the "Air Services" quota becoming an unabsorbed quota distributable in accordance with paragraph (e) (5) of this order.

(3) Where 75 percent of the production of the size and type of tool being scheduled for delivery in any month is less than the total Type 1 orders received from all Service purchaser groups specifying that month or a previous month as the required delivery date, no Type 2 orders shall be scheduled for delivery in that month. Where the Type 1 orders in such case are from more than one Service purchaser group, the distribution of such 75 percent of production between the Type 1 orders from such groups shall be determined as follows: The percentage which 75 percent of the production for that month constitutes of the total Type 1 orders from all such Service purchaser groups shall be determined. Such percentage shall then be applied to the number of such Type 1 orders from each Service purchaser group involved, and the resultant number of Type 1 orders shall accordingly be scheduled for delivery to such group. The particular Type 1 orders to be scheduled for each such Service purchaser group and the sequence of their delivery shall be determined by the Numerical Master Preference List, as amended by Revision No. 4 and corrections and additions thereto, the operation of which is set forth in paragraph (i) of this order.

(4) 25 percent of each producer's pro-

(4) 25 percent of each producer's production for each month of each size of each type of tool shall continue to be scheduled for delivery to foreign pur-

<sup>&</sup>lt;sup>1</sup> Not filed as part of the original document.

chasers and other purchasers in accordance with the other provisions of this order.

(5) Immediately upon scheduling machines for delivery in accordance with paragraphs (c) (2), (c) (3), and (c) (4) of this order, each producer shall notify all purchasers of the new scheduled delivery dates which fall within the period ending February 28, 1943.

(6) Notwithstanding the provisions of this paragraph (c), the War Production Board from time to time may issue specific scheduling instructions to any pro-

ducer.

(7) The four months rule established by paragraphs (d) (4) and (e) (5) of this order shall not be applied to Type 1 orders. The sixty-day "frozen" period established by paragraph (1) of this order shall be applied to all deliveries of Type 1 orders as well as Type 2 orders. All Type 2 orders remain subject to the terms of this General Preference Order E-1-b except as the delivery dates on such orders may be extended by the rescheduling of Type 1 orders in accordance with this paragraph (c).

(8) All other provisions of this General Preference Order E-1-b not modified by this paragraph (c) shall remain

in full force and effect.

(d) Allocation of production to service purchasers and to foreign and other purchasers. (1) Except as provided in subparagraphs (3) and (4) of this paragraph, each producer shall schedule his production for each calendar month so as to deliver 75 per cent of his production of each size of each type of tool which he produces in that month to service purchasers.

(2) Except as provided in subparagraphs (3) and (4) of this paragraph, each producer shall schedule his production for each month so as to deliver 25 per cent of his production of each size of each type of tool in the aggregate to foreign purchasers and other purchasers.

(3) A producer may schedule for delivery to service purchasers more than 75 per cent of his production of any size of a type of tool in a given month, to the extent that he has failed to receive purchase orders for foreign purchasers and rated purchase orders from other purchasers for tools of such size and type prior to the first day of the fourth month preceding the month of delivery.

(4) A producer may likewise schedule for delivery to foreign purchasers and other purchasers more than 25 per cent of such production of any size of a type of tool in a given month, to the extent that he has failed to receive rated purchase orders from service purchasers for tools of such size and type, prior to the first day of the fourth month preceding

the month of delivery.

(5) In preparing his schedules as aforesaid, a producer shall fix the dates of his deliveries of tools to service purchasers, to foreign purchasers and to other purchasers within a given month so that each class will receive its percentage of tools equitably in point of time within the month.

(e) Distribution of 75 per cent of production among Service purchasers. (1) Service purchasers are hereby subdivided into seven groups consisting of the following, and their respective prime contractors and subcontractors: Eureau of Ships (Navy), Bureau of Ordnance (Navy), Ordnance Department (Army), Air Services, Miscellaneous Branches and Bureaus, the Maritime Commission, and the Signal Corps. The fourth group, designated "Air Services," includes the Army Air Forces and the Navy Bureau of Aeronautics and their respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Quartermasfer Corps, the Corps of Engineers, the Army Medical Department, the Chemical Warfare Service, the Bureau of Yards and Docks, the Marine Corps, and the Transportation Service of the Services of Supply, together with any other corps, department, bureau or service of the Army and Navy not heretofore specifically designated as a separate group, and their respective prime contractors and subcontractors.

(2) Exhibit A specifies a percentage of each type of tool which is to be delivered each month to each different group of service purchasers. The aggregate of such percentages is 75 per cent.

(3) The stated percentage for each group where applied to a producer's production of each size of a given type of tool in a specified month, establishes the "quota" for that group of that size and type during that month.

(4) During each calendar month, each producer shall deliver to each group of service purchasers the number of tools of each size of a given type which equals the quota of the group for that size and

type.

(5) If a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from the Bureau of Ships (Navy) group equal to that group's quota of a size of a given type of tool for that month, the producer shall schedule purchase orders received from the Bureau of Ordnance (Navy) group for the balance of the Bureau of Ships (Navy) group quota of that size and type for delivery during that month. Similarly, if the producer does not have orders on hand from the Bureau of Ordnance (Navy) group equal to its quota, he shall schedule purchase orders received from the Bureau of Ships (Navy) group for the balance of the Bureau of Ordnance (Navy) group's quota.

If a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from the Bureau of Ships group plus the Bureau of Ordnance group equal to their combined quotas of a size of a given type of tool for that month, or if he does not have on hand on such date rated purchase orders from any other single group of service purchasers equal to that group's quota of a size of a given type of tool for that month, the producer shall schedule purchase orders received from members of other groups of service purchasers for that size and type for delivery during that month. Where members of two or more other groups have placed purchase orders aggregating more than such unordered balance of the combined quotes of the Bureau of Ships and Bureau of Ordnance, or of any other single group's quota, the producer must first schedule the purchase orders of those purchasers who are members of the group having the greatest ratio of:

(i) Unfilled purchase orders, specifying required delivery dates in said month of delivery and in preceding months, but not scheduled for delivery in said months

(ii) The number of tools to which said group is entitled under its quota.

until that ratio has been reduced to or balow the ratio of another group or groups, after which the producer shall schedule the purchase orders of members of the group or groups which then have the greatest ratio, and shall continue to schedule in this manner until the unordered balance has been entirely distributed. Where several groups have the same ratio, and there are not sufficient undistributed tools to schedule one for each group, preference shall be given to the groups having the lower percentage quotes.

(6) Likewise, if a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from foreign and other purchasers equal to 25 percent of his production of a size of a given type of tool for that month, the producer shall schedule purchase orders received from service purchasers for that type and size for delivery during that month, in the manner provided in para-

graph (e) (5) hereof.

(7) A purchase order which has been scheduled as provided in subparagraphs (5) and (6) hereof shall represent an addition to the quota of the group of which the service purchaser in question is a member, and such purchase order shall not thereafter be affected by the receipt of a purchase order from a member of any other group, irrespective of the urgency standing of the latter.

(8) In preparing his schedules of deliveries for a given month for service purchasers, a producer shall fix the dates of his deliveries to the different groups so that each group will receive its percentage of tools equitably in point of

time within the month.

(f) Distribution of 25 per cent of machine tools among foreign and other purchasers. Foreign purchasers and other purchasers shall be treated as one group, and each producer shall schedule his orders for each size of each type for delivery each month within their aggregate 25 per cent of production for that month, in accordance with the sequence of deliveries determined as hereinafter specified in paragraph (i): Provided, however, That if the purchase orders from foreign purchasers and other purchasers with any producer with required delivery dates in any one month, aggregate more than 25 per cent of his production for any size of a given type during such month, such producer shall

immediately file with the War Production Board a report stating the size and type of tool, showing all such purchase orders and designating for each order the required delivery date, the name of the purchaser, or the foreign country in the case of foreign purchasers, the purpose for which the tool is to be used in the case of other purchasers and the required delivery dates. The Director General for Operations, or such other official as may be specifically authorized by him, will thereupon examine such report and issue directions as to which purchase orders shall be eliminated in order to bring the aggregate within the 25 per cent allocation, or such other directions as he may deem necessary.

(g) Treatment of fractions. the number of tools which results from the use of a percentage to be applied under this order contains a fraction of more than one-half, the fraction shall be counted as a whole tool. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only (less than one whole tool) for any one month, and such fraction is less than one-half it shall be counted in computing the next month's quota. · Where each of the computations of two or more different quotas for the same month shows a fraction of-onehalf, and there is only one remaining tool to which such fractions can apply, such tool shall be allotted to the group having the highest percentage quota, and the other fractions of one-half shall be disregarded for that month, but shall be counted in computing the other quota or quotas for the next month.

(h) Necessity for preference ratings.

(1) Except in the case of purchase orders of foreign purchasers, no purchase order for any machine tool shall be given priority standing in production schedules, and no machine tool shall be sold or delivered, unless a preference rating of A-10 or higher has been assigned thereto by a Preference Rating Certificate PD-1A, by a Preference Rating Certificate PD-3A, by a Preference Rating Certificate in the PD-408 series, or by a Preference Rating Order No. P-19-h.

In placing the endorsement required by Priorities Regulation No. 3 on the purchase order there must also be included therein or set forth in a separate endorsement on the purchase order:

(i) The urgency standing of the purchaser, if any;

(ii) The required delivery date of the tool:

(iii) A statement as to whether the purchaser is a "Service purchaser," a "foreign purchaser," or an "other purchaser," and

(iv) In the case of Service purchasers, the Supply Arm or Bureau of the Army or Navy, or the Maritime Commission, which placed the prime contract, the number of the prime contract, and the name of the prime contractor:

(v) In the case of foreign purchasers, the foreign country for which the tool is purchased; and

(vi) In the case of other purchasers, a statement as to the product or production program for which the tool is to be used. In addition to making the endorsement upon his purchase order as required, any person placing such an order after December 25, 1942 shall furnish to the producer a photostatic copy (or another copy accompanied by his sworn statement that it is a true copy) of the Preference Rating Certificate PD-1A, PD-3A, PD-408, or Preference Rating Order P-19-h. Reproduction of any of the foregoing preference rating certificates or orders for the foregoing purposes is hereby permitted.

(i) Operation of Numerical Master. Preference List, and preference ratings.
(1) All purchase orders of foreign purchasers are hereby assigned a rating of A-1-a for the purposes of this General Preference Order E-1-b. The Numerical Master Preference List. (Exhibit B)¹ attached to this order, herein called "the list" shall determine the sequence of deliveries as between service purchasers as hereinafter set forth, but shall have no effect upon foreign purchasers or other purchasers.

(2) Subject to the provisions of paragraph (c) of this order, as amended, the sequence of deliveries of machine tools among each group of service purchasers within its respective percentage quota shall be determined without regard to preference ratings as follows:

(i) Deliveries to service purchasers who are either on the list or are subcontractors of persons on the list shall be preferred to and shall take precedence over deliveries to service purchasers who are not on the list.

(ii) As between deliveries which have conflicting required delivery dates to be made to two or more service purchasers, both on the list, deliveries shall be made according to their respective urgency standings specified on such list. The highest urgency standing in each group is No. 1.

(iii) As between deliveries which have conflicting required delivery dates to be made to two or more service purchasers, neither of whom is on the list, the sequence of deliveries shall be determined by the respective dates on which the producer receives the photostatic or certified copy of the preference rating certificate.

The delivery for which such photostatic or certifled copy was first received takes precedence except that orders received prior to December 25, 1942 shall not be rescheduled according to such rule but shall be delivered in the sequence theretofore scheduled.

(iv) A delivery to a subcontractor who is not specifically named on the list shall take the urgency standing of his prime contractor; the urgency standing of the prime contractor must be endorsed in writing on the subcontractor's preference rating certificate by an officer designated for such purpose by the supply arm or bureau concerned.

(3) The sequence of deliveries of machine tools among foreign and other purchasers within the portion of production allocated to such purchasers shall be determined as follows:

(i) As between deliveries which have conflicting required delivery dates and

which bear different preference ratings, delivery shall be made according to the preference ratings of the respective purchasers.

(ii) As between deliveries which have conflicting required delivery dates and which bear the same preference rating, the sequence of deliveries shall be determined by the respective dates on which the producer received the photostatic or certified copy of the preference rating certificate. The delivery for which the preference rating certificate was first received, takes precedence except that orders received prior to December 25, 1942 shall not be rescheduled according to such rule but shall be delivered in the sequence theretofore scheduled.

(j) Additions to list. Additions to, withdrawals from, and other changes may be made in the Numerical Master Preference List from time to time by the Director General for Operations or such other official as may be specifically authorized by him. Where it is desired to assign an urgency standing between existing urgency standings, the new urgency standing will consist of a number including a decimal. Such an urgency standing will take a position in the sequence of deliveries as indicated by the following example: Urgency Standing 792.1 will be scheduled after 792 and before 793.

(k) Revision of scheduled deliveries. (1) On or before June 1, 1942, with respect to machine tools designated as Group I on Exhibit A and on or before July 1, 1942, with respect to machine tools designated as Group II on Exhibit A, each producer shall revise his schedule of deliveries for each type of tool to conform to the percentage allocations and quotas of the various classes and groups of purchasers and in accordance with the sequences determined by urgency standings and preference ratings, to the extent that he can do so without seriously delaying his production line, and without postponing the date of completion of any particular tool which was 50 per cent or more completed on May 1, 1942, beyond the earliest date when such tool can be 100 per cent completed.

(2) After the date specified in subparagraph (1) of this paragraph, the producer shall make deliveries of tools in accordance with his revised schedules.

(1) Postponement of new purchase orders. Unless the Director General for Operations specifically orders otherwise, and notwithstanding any other provisions of this order, no higher preference rating or urgency standing shall operate to postpone or in any way affect any delivery under a purchase order already scheduled where such delivery, in the case of all tools whether designated as Group I or Group II on Exhibit A, is to be made within sixty days of receipt of such higher preference rating or urgency standing.

(m) Specific modifications of schedules. Notwithstanding any other provisions of this order, the Director General for Operations, or such other official as may be specifically authorized by him, may allocate to another purchaser,

<sup>&</sup>lt;sup>1</sup> Not filed as part of the original document.

or otherwise divert, any machine tool scheduled for production and delivery pursuant to this order. Except as expressly provided in this order, no one other than the Director General for Operations or his duly authorized representative, may give directions respecting sequences of deliveries. No interpretations, instructions, or directions respecting any of the provisions of this order shall be issued without the approval of the Director General for Operations or such other official as may be specifically authorized by him; and no producer shall accept or give effect to any interpretation, instruction, or direction, which is not issued in accordance with the foregoing provisions.

(n) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) Applicability of Priorities Regulation No. 1. This order, and all transactions affected thereby, are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(p) Reports and other communications. All reports which may be required to be filed, and all other communications concerning this order, should be addressed to: War Production Board, Washington, D. C. Ref.: E-1-b.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER,

Director General for Operations.

#### INTERPRETATION

The term "purchase order," as used in General Preference Order E-1-b, means a firm order for a machine tool which is accompanied either by-specifications or by other description of the tool in sufficient detail to enable the producer to place the tool in his production schedules. (Issued May 15, 1942)

#### INTERPRETATION 4

An urgency standing should not be used in connection with a Preference Rating Certificate PD-IA. General Preference Order E-I-b defines as service purchasers those whose preference rating certificates or whose endorsed purchase orders show that the preference rating was assigned by an original Preference Rating Certificate PD-3, PD-3A, or PD-4, or by Preference Rating Order P-19-h. Hence, the holder of a PD-1A Certificate cannot be a service purchaser as he is excluded from the definition.

Urgency standings govern the sequence of deliveries of machine tools as between service

purchasers of the came group within their respective percentage quotas. If a percent cocking to procure a machine teal is not a service purchaser he cannot be a member of one of the service purchasers groups, and the urgency standing therefore has no effect upon the delivery of the teal to him. The teal must come out of the 25 percent quota essigned to foreign and other purchasers, and the sequence of its delivery will be determined solely by its required delivery date and its preference rating, in the absence of a specific direction of the Director General for Operations. (Icsued August 10, 1942)

[F. R. Doc. 43-1296; Filed, January 26, 1943; 10:53 a. m.]

#### PART 1001-TIN

[Supplementary Order M-43-b]

USE OF TIN IN GAS METERS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1001.3 Supplementary Order M-43b—(a) Definition. For the purpose of this order:

"Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(b) Restriction on use of tin in certain gas meters. After February 15, 1943, notwithstanding the provisions of any state statute or governmental regulation, no person shall use tin-bearing solder or other tin-bearing material in the adjustment, internal repair, or resealing of any tin-cased gas meter having a rated capacity of less than 300 cu. ft. per hour except:

(1) A meter which is found not to be accurate within an accuracy range of plus or minus 4% when tested by standard meter prover tests; or

(2) A meter which has not been previously repaired internally for twelve years or more.

The restrictions of this paragraph (b) shall not apply to any such gas meter which was withdrawn prior to January 26, 1943, for the purpose of testing and returning it to service.

(c) Appeals and communications. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. Such appeals and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Tin and Lead Division, Washington, D. C., reference: M-43-b.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943. Curtis E. Calder,

Director General for Operations.

[F. R. Duc. 43-1297; Filed, January 26, 1943; 10:54 a. m.]

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Supplementary Limitation Order L-39-d as Amended Jan. 26, 1943]

MISCELLAMEOUS COOKING UTENSILS
AND OTHER ARTICLES

§ 1052.5 Supplementary Limitation Order L-30-d—(a) Definitions. For the purposes of this order:

(1) "Preferred order" means a purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(2) "Miscellaneous cooking utensil" means any utensil containing more than 7½%, by weight, of metal, which is designed primarily for use in the preparation or cooking of food, whether for household, institutional, commercial, governmental or any other purpose, including but not limited to, glass and ceramic flameware, but excluding any utensil the production of which is governed by Supplementary Limitation Orders I-30-b or I-30-c, or expressly exempted from the provisions of those orders when produced pursuant to preferred orders.

ferred orders.

(3) "Kitchen tools" means articles containing more than 5%, by weight, of metal, commonly known as kitchen tools, including, but not limited to, can openers, jar openers, bottle openers, strainers, flour sliters, food whips, food mills, dippers, scoops, choppers, slicers, corers, mashers, shapers, beaters, graters, grinders, cutters, sleves, cake turners, basting spoons, cork screws and skewers, but excluding cutlery (which is governed by Limitation Order L-140), electrical appliances (which are governed by Limitation Order L-65), gas appliances and power-driven equipment.

(4) "Household storage articles" means articles containing more than 5%, by weight, of metal, designed for the storage of food or household supplies, including but not limited to, vegetable bins, canisters, spice sets, cake covers or safes, holders for salt, soap or cleanser cartons, step-on cans, lunch boxes, vacuum jugs and bottles, and window boxes for the storage of food, but excluding:

(i) Pails, buckets and tubs;

(ii) Containers designed for the packing, shipment or delivery of materials or products of any kind, including but not limited to, cans as defined in Conservation Orders M-81 or M-136, glass containers or closures as defined in Limitation Order L-103, and drums as defined in Limitation Order L-197; and

(iii) Articles the production of which is governed by Supplementary Limitation Orders L-30-a, L-30-b or L-30-c, or

expressly exempted from the provisions of those orders when produced pursuant to preferred orders.

(5) "Manufacturer" means any person engaged in the business of producing or assembling any miscellaneous cooking utensils, kitchen tools, household storage articles or any other products covered by this order, or any parts (including repair parts) for such utensils, kitchen tools, storage articles or products.

(6) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is

received by him.

(7) "Base period" means the twelve

months ending June 30, 1941.

(8) "Black steel" means uncoated, polished or lacquered carbon steel. It does not include any steel which has a metal or vitreous-enameled coating.

(9) "Joining hardware" means nuts, screws, nails, bolts, clasps, rivets and other similar items of small hardware used for joining or other similar purposes.

(10) "Repair part" means any part for an article or product which is not produced for or used in a new article or

product.

- (b) Prohibition on production of miscellaneous articles. (1) No manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the kitchen, household and other miscellaneous articles listed on Schedule A attached to this Order (whether manufactured for household or for any other purpose), or parts for such articles (including repair parts), except for the minimum amount of iron and steel (not to exceed 5% of the weight of the article) contained in necessary joining hardware.
- (2) No manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of clothes wringers (other than wringers which are integral parts of power-driven laundry equipment as covered by Limitation Orders L-6 and L-91) except that hand clothes wringers which weigh 18 pounds or less each and contain 50% or less of metal by weight may be produced, provided that during the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process
- (i) In the production of such wringers more than three times 30% of the average monthly amount of iron and steel by weight put into process by him during the base period in the production of such wringers and parts therefor;
- (ii) In the production of repair parts for such wringers more than three times 5% of the iron and steel put into process by him during the base period in the production of such wringers and parts therefor.
- (c) Restrictions on miscellaneous cooking utensils. (1) Except as provided in paragraph (g), on and after November

23, 1942, no manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of any miscellaneous cooking utensils containing 20% or more of metal, by weight, or parts for such utensils, except

(i) Black steel frying pans having a bottom diameter of from 8 to 12 inches,

inclusive;

(ii) Black steel heavy-duty roast pans without covers, having a capacity of from 675 cubic inches to 2600 cubic inches, inclusive, and having two or three reinforcing straps and wired edges; and

- (iii) Black steel or tinned utensils, including liquid and dry measures, (other than black steel frying pans or heavyduty roast pans), or stamped bakery equipment, when such utensils or equipment are produced pursuant to preferred orders.
- (2) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of
- (i) Black steel frying pans than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of black steel frying pans;
- (ii) Black steel heavy-duty roast pans than three times 35% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of black steel heavy-duty roast pans;
- (iii) Miscellaneous cooking utensils containing more than 7½%, but less than 20%, of metal, by weight, and parts for such utensils (other than repair parts) than three times 100% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such cooking utensils and parts (including repair parts); or
- (iv) Repair parts for miscellaneous cooking utensils containing more than 7½%, but less than 20%, of metal, by weight, than three times 5% of the monthly average amount of iron and steel, by weight, put into process by him during the base period in the production of such cooking utensils and parts for such utensils (including repair parts).
- (d) Restrictions on kitchen tools. (1) Except as provided in paragraph (g), on and after November 23, 1942, no manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of any kitchen tools, except
  - (i) The following kitchen tools:

Basting spoons, 14 to 21 inches, inclusive, in overall length.

Cake turners, 13 to 21 inches, inclusive, in overall length.
Can openers.

Egg beaters, rotary type, 10 inches or longer, including handle.

Food choppers and grinders.

Food mills.

Wire strainers.

Wire whips, commercial type, 12 inches or longer.

(ii) The following kitchen tools in fulfillment of preferred orders only:

Butter cutters.
Dippers.
French fry cutters.
Nutmeg graters.
Skimmers.
Sugar and flour scoops.
Vegetable graters.

(iii) Any other kitchen tool in fulfillment of preferred orders for use on board ship only.

- (2) Except in fulfillment of preferred orders for use on board ship, during the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of
- (i) Any kitchen tool listed in subparagraph (l) of this paragraph (d), and parts for such tool (other than repair parts) than three times 35% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such kitchen tool and parts for such tool (including repair parts); or

(ii) Repair parts for any kitchen tool than three times 5% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such kitchen tool or parts for such tool (including repair parts).

(e) Restrictions on household storage articles. (1) Except as provided in paragraph (g), on and after November 23, 1942, no manufacturer shall process, fabricate, work on or assemble any iron, steel or other metal for use in the production of any household storage articles, except vacuum bottles with a capacity of one quart or less and, pursuant to preferred orders, vacuum bottles and jugs with a capacity of more than one quart.

- (2) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process more iron and steel, by weight, in the production of vacuum bottles with a capacity of one quart or less than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such vacuum bottles.
- (f) Restrictions on pails, buckets and tubs. Except as provided in paragraph (g), on and after November 23, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel

for use in the production of any pails, buckets or tubs, except

 Pails or tubs designed expressly for use as packing or shipping containers;

(2) Pails or tubs which contain iron or steel only in hoops, bails, ears, handles and joining hardware, provided that the total weight of such iron and steel does not exceed 15% of the total weight of the pail or tub, and further provided that any such pail, or any such tub with a capacity of less than 15 gallons, does not have more than two hoops containing iron or steel;

(3) Dairy pails;

(4) Pails, buckets or tubs when made of black steel and produced pursuant to

preferred orders; and

(5) Pails, buckets or tubs the production of which is governed by Supplementary Limitation Orders L-30-a or L-30-b, or expressly exempted from the provisions of those orders when produced

pursuant to preferred orders.

(g) Exceptions. Notwithstanding the provisions of paragraphs (b) (2), (c) (1), (d) (1), (e) (1) and (f), a manufacturer may complete the fabrication and assembly of any article included in such paragraphs from iron or steel which, on November 17, 1942, had been cut, blanked or otherwise formed to size for such article by him or by any other person, provided that such article is completed on or before December 31, 1942, except for the application of a coating or finish or the attaching of handles, bails or ears, which may be done thereafter.

(h) Applicability of other orders. The provisions of this order shall supersede the provisions of Limitation Order L-30 in respect to all articles the production of which is governed by this order. In so far as any other order restricts the use of any material in the production of any articles to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern unless

otherwise specified therein.

(i) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(j) Appeal. Any appeal from the provisions of this order should be made on Form PD-500, directed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref.:

L-30-d.

(k) Avoidance of excessive inventories. No manufacturer shall accumulate for use in the manufacture of articles the production of which is governed by this order, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production permitted by this order.

(1) Records. All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories,

production and sales.

(m) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) Reports. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(o) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assist-

(p) Communications. All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C. Ref: L-30-d.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Laws 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER,

Director General for Operations.

#### ECHEDULE A

The following articles are subject to the provisions of paragraph (b) (1) of Order L-30-d, except for any such articles the production of which is governed by Supplementary Limitation Orders L-30-a or L-30-b, or expressly exempted from the provisions of those orders when produced pursuant to preferred orders:

Cake coolers.
Camp grids.
Candlesticks.
Carpet beaters.
Carpet sweepers.

ance.

Closet accessories, including, but not limited to, coat and garment hangers and hooks, tie racks and hoot and chos trees (except (a) coat hangers containing from and steel in hooks only in fulfillment of preferred orders for use on board chip, and (b) garment bags containing iron and steel in hooks only).

Clothes pins.

Concrete garbage receptacles containing more than 5%, by weight, of metal, exclusive of the weight of separate bases or blocks.

Cup frames.

Curtain rods and fixtures and drapery attachments (except curtain rods and drapery hooks containing iron and steel in fulfillment of preferred orders for use on board ship).

Cuspidors and spitteons.

Dish pans (except black steel dish pans in fulfillment of preferred orders).

\*Dust pans, slient butlers and crumb sets. Fire place equipment, all articles of.

Fly swatters.

\*Funnels (except in fulfillment of preferred orders when constructed in accordance with Chemical Warfare Service Drawings

Nos. B-18-41-2, revised January 27, 1942, E-81-5-6, dated September 11, 1941, or E-18-41-1, revised November 22, 1941, or any subsequent drawings designed for Chemical Warfare Service needs).

Picnic stoves. Pot cover holders.

Pot chains.

\*Sink acceptories, including but not limited to, tink drainers, dish drainers, rinsing pans and pot accourers.

Soop dishes and coop sovers.

Tollet paper holders (except when containing iron and steel in fulfillment of preferred orders for use on board ship) and other paper holders.

Tooth brush holders.

Towel bars and racks (except when containing from and steel in fulfillment of preferred orders for use on board ship).

\*Wash boards.

[F. R. Doc. 43-1233; Filed, January 26, 1943; 10:53 a. m.]

#### PART 1153—FLUORESCENT LIGHTING FIXTURES

[Limitation Order L-78, as Amended Jan. 26, 1943]

Section 1153.1 General Limitation Order L-78 is hereby amended to read as follows:

§ 1153.1 General Limitation Order L-78—(a) Definitions. For the purposes of this order:

(1) "Fluorescent lighting fixture" means any equipment employing, or used in connection with an electric light source (but excluding an incandescent light source) in which (i) visible light for illuminating purposes is produced by the passage of electric current through vaporized mercury, or (ii) visible light, for illuminating purposes is produced due to the effects of ultra-violet radiation on substances exposed to such radiation, including, but not limited to the following: (a) a hot cathode fluorescent lighting fixture, (b) a cold cathode flu-orescent lighting fixture, (c) a rectified fluorescent lighting fixture, (d) a Cooper-Hewitt type fixture, (e) a Mercury type fixture, and (f) a portable fluorescent lighting fixture known as a mechanic's lamp, and any other portable fluorescent lighting fixture designed for use in conjunction with any industrial machine, tool, assembly bench or other similar factory equipment.

"Fluorescent lighting fixture" does not include any tube, bulb, or replaceable fluorescent starter, or portable lamp, commonly known as bed lamps, floor lamps, wall lamps, table lamps and desk lamps.

(2) "Industrial fluorescent lighting fixture" means a fluorescent lighting fixture which fixture is designed and constructed to illuminate an area of a factory, workshop or similar plant in which area manufacturing, assembling or other industrial functions are performed. For the purpose of this order an office or a drafting room is not an area in which manufacturing, assembling or other industrial functions are performed.

(3) "Non-industrial fluorescent lighting fixture" means any fluorescent lighting fixture other than an industrial fluorescent lighting fixture.

<sup>\*</sup>The provisions of Order L-30-d do not prohibit a manufacturer from applying a coating or finish or from attaching handles, bails or ears to any of the articles marked with an asterisk which were otherwise completed on or before December 31, 1942.

(4) "Maintenance" means the minimum upkeep necessary to the continued and safe operation of any fluorescent

lighting fixture.

(5) "Repair" means the restoration of any fluorescent lighting fixture to a sound working condition after wear and tear, damage, destruction or failure of any part has made it unfit or unsafe for service.

(6) "Put in process" means the act by which a person first changes the form of material from that form in which it was

received by him.

(7) "Reflector" means that part of a fluorescent lighting fixture which redirects the light emitted from the tube, bulb, tubes or bulbs in such fixture in a desired direction. Reflector does not include a wiring channel, wireway, raceway, or any locknuts, screws, bolts, washers or other devices for the purpose of connecting a reflector to such channel, wireway or raceway.

(8) "Top-housing" means a wiring channel, wireway or raceway specifically designed and constructed to support or hold any of the following component parts of a fluorescent lighting fixture, the ballast, the transformer, sockets, or

reflector.

Restrictions—(1) Manufacture. (b) Notwithstanding any contract or agreement to the contrary, no person shall manufacture or assemble any fluorescent lighting fixture or any component part of any fluorescent lighting fixture, except:

(i) A fluorescent lighting fixture, other than a rectified fluorescent lighting fixture, or any component part of any fluorescent lighting fixture manu-

factured or assembled from:

(a) Materials which were acquired by him pursuant to orders or contracts bearing a preference rating of A-1-j or better, or bearing any preference rating assigned under the Production Requirements Plan, provided that copper, copper base alloy or copper products shall be used in accordance with the limitations established by General Conservation Order M-9-c; and provided further, however, that a non-industrial fluorescent lighting fixture may only be manufactured or assembled from such materials upon written authorization from the Director General for Operations; or

(b) Materials which have been put in process to manufacture fluorescent lighting fixtures and which materials were in his possession on April 20, 1942, pursuant to orders placed by him on or before April 2, 1942, provided that copper, copper base alloy or copper products shall be used in accordance with the limitations established by General Con-

servation Order M-9-c.

(c) Component parts of a fluorescent lighting fixture acquired by him from a person having possession of such component parts on April 20, 1942, pursuant to an order placed by such person having such physical possession on or before April 2, 1942.

(ii) Any component part of a rectified fluorescent lighting fixture, provided that such part is used for purposes of maintenance and repair and that copper, copper base alloy or copper products used in the manufacture or assembly of such component part shall be in accordance with the limitations established by General Conservation Order M-9-c.

(2) Manufacture of reflectors for industrial fluorescent lighting fixtures. No person shall manufacture or assemble for an industrial fluorescent lighting fixture a reflector containing any metal except:

(i) For use with a fluorescent lighting fixture of the type set forth in para-

graph (a) (1) (ii) (f), or

(ii) For use with a fluorescent lighting fixture designed and constructed for the operation of a 400 watt or a 3,000 watt mercury vapor tube, bulb, tubes or bulbs, or

(iii) For use with a fluorescent lighting fixture employing a hot or cold cathode tube, bulb, tubes or bulbs, provided such fixture is specifically designed and constructed for use in hazardous locations as defined in paragraphs 5005 and 5006 of Article 500 of the National Electrical Code, 1940 Edition; or

(iv) To fill a specific purchase order or contract of the Navy of the United States for such reflector to be used on

board a ship.

(3) On and after the 9th day of February 1943, no person, without specific authorization of the Director General for Operations, shall put in process any metal to close the end of a reflector or to be used in a shield, louver or baffle of a fluorescent lighting fixture except in the minimum amount required to join, attach or fasten such end, shield, louver or baffle to such fixture. The provisions of this paragraph shall not apply or control the manufacture or assembly of a fluorescent lighting fixture employing a hot or cold cathode tube, bulb, tubes or bulbs, provided such fixture is specifically designed and constructed for use in hazardous locations as defined in paragraphs 5005 and 5006 of Article 500 of the National Electrical Code, 1940 Edition, or the manufacture or assembly of a fluorescent lighting fixture designed and constructed for the operation of a 400 watt or a 3000 watt mercury vapor tube, bulb, tubes or bulbs.

(4) On and after the 4th day of May 1943, no person shall put in process any ferrous metal for the manufacture of a fluorescent lighting fixture employing a hot cathode tube, bulb, tubes or bulbs, which fixture, exclusive of ballast, hanging or suspension devices, contains:

(i) More than three (3) pounds of ferrous metal and which fixture is designed and constructed for two or three 40 watt hot cathode tubes or bulbs; or

(ii) More than four (4) pounds of ferrous metal and which fixture is designed and constructed for two 100 watt hot

cathode tubes or bulbs; or

(iii) More than three and one-half (3½) pounds of ferrous metal for each four linear feet of fluorescent lighting fixture (including top-housing) designed and constructed for two or three continuous parallel rows of 40 watt hot cathode tubes or bulbs; or

(iv) More than four and one-half (4½) pounds of ferrous metal for each five linear feet of fluorescent lighting fixture (including top-housing) designed and constructed for two parallel continuous rows of 100 watt hot cathode tubes or bulbs.

(5) Sale and delivery. Notwithstanding any contract or agreement to the contrary, no person shall sell or deliver any new fluorescent lighting fixture (that is any fluorescent lighting fixture which has never been used by an ultimate consumer) or any new component part of any fluorescent lighting fixture. except that:

(i) A person who regularly in the course of his business sells fluorescent lighting fixtures or component parts of fluorescent lighting fixtures, may sell

and deliver:

(a) Any such fixture or component part to a manufacturer or assembler of fluorescent lighting fixtures, or to any other person who regularly in the course of his business sells fluorescent lighting fixtures or component parts thereof, but only for resale of such fixture, component part or component parts assembled by such other person into a fluorescent lighting fixture; or

(b) Any such fixture to any of the following governmental departments or agencies or to any person buying for the account of such departments or agencies: Maritime Commission, Navy De-partment, War Department, Metals Reserve Company, War Shipping Administration or any corporation organized under Section 5 (d) of the Reconstruc-

tion Finance Corporation Act amended:

(ii) And any person may: (a) Sell and deliver, pursuant to an order or contract bearing a preference rating of B-2 or better, a fluorescent lighting fixture, providing such fixture was manufactured on or before June 1, 1942, or was manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (b) and/or (c) of this order.

(b) Sell and deliver a fluorescent lighting fixture manufactured or assembled subsequent to June 1, 1942, pursuant to an order or contract bearing a preference rating of A-1-j or better:

(c) Sell and deliver any component part of any fluorescent lighting fixture, pursuant to an order or contract bearing a preference rating of A-1-j or better, or bearing any preference rating assigned under the Production Requirements Plan.

(d) Sell and deliver a hot cathode fluorescent lighting fixture designed and constructed for the operation of a tube, bulb, tubes or bulbs, no individual tube or bulb to have a rated wattage in excess of 30 watts, which fixture is manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) and/or (c) of this order.

(e) Sell and deliver a cold cathode fluorescent lighting fixture which fixture is manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (b) and/or (b) (1) (i) (c) of

this order.

(f) Sell and deliver any component part of any fluorescent lighting fixture: Provided, That such person is engaged in the business of the manufacture and assembly of fluorescent lighting fixtures, and that the person purchasing or receiving such fixture is also engaged in the same business, and any such sale and delivery shall be deemed to be permitted under the provisions of Priorities Regulation No. 13:

(g) Sell and deliver any component part of any fluorescent lighting fixture which is sold or delivered for the purposes

of maintenance or repair;

(h) Deliver a fluorescent lighting fixture or any component part of any fluorescent lighting fixture to be used solely for purposes of demonstration, test or storage of such fluorescent lighting fixture or component part thereof; and a person having title to a fluorescent lighting fixture or component part thereof may deliver such fluorescent lighting fixture or component part thereof mone branch, division or section of a single enterprise to another branch, division, or section of such enterprise.

(f) Sell and deliver upon authorization of the Director General for Operations, fluorescent lighting fixtures reported by such person on Form PD-499 to be in his inventory as of June 2, 1942 (said form having been received by the War Production Board on or before August 1, 1942): Provided, That on such form the type of operation of such person was declared to be that of retailer: And provided further, That he shall make application to the War Production Board on Form PD-556 for permission to make such sale and delivery.

(6) Avoidance of excessive inventories. No person shall accumulate an inventory of any material (whether raw, semi-processed or processed) for manufacture into any fluorescent lighting fixture in excess of the minimum amount of such material necessary to maintain production of fluorescent lighting fixtures to the extent permitted by this order.

(d) Records. All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories,

production and sales.

(e) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) Reports. Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

- (g) Violations. Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.
- (h) Appeals. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may apply for relief by addressing a letter to the War Production Board.

(i) Applicability of priorities regulations. This order as amended and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(j) Applicability of other orders. Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(k) Routing of correspondence. Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Branch, Washington, D. C., Ref: L-78.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January, 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-1299; Filed, January 26, 1943; 10:53 a. m.]

PART 3046—Low Pressure Cast Iron Boilers

[Limitation Order L-187 as Amended Jan. 26, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3046.1 General Limitation Order L-187—(a) Definitions. For the purposes of this order:

- (1) "Low pressure cast iron boiler" means any boiler designed for the purpose of heating water so as to provide heat for the interior of a building by means of circulating steam or hot water, which boiler:
- (i) Operates at a maximum working pressure not exceeding fifteen pounds per square inch of steam pressure or thirty pounds per square inch of water pressure, and

(ii) Is composed preponderantly of cast iron.

(2) "Parts" includes all materials used as repair parts for low pressure cast iron boilers

- boilers.
  (3) "Military low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured for delivery to or for the account of the Army, Navy, War Shipping Administration or the Maritime Commission of the United States or the Defense Plant Corporation.
- (4) "War housing low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured on a specific contract or order for use in a

building rated under Preference Rating Order P-55, P-110, or any order in the P-19 series.

- (b) Restrictions. (1) No person shall manufacture, fabricate or assemble any low pressure cast iron boiler, and no person shall manufacture or fabricate any component parts of such boilers, except that:
- (i) The manufacture, fabrication or assembly of military or war housing low pressure cast iron boilers built to use solid fuel, or of low pressure cast iron boilers built to use solid fuel for use in a hospital constructed, to be constructed or under construction, may be specifically authorized by the Director General for Operations on Form PD-704; and
- (ii) During each of the first two calendar quarters of 1943, any manufacturer of low pressure cast iron boilers may manufacture or fabricate such component parts as he can manufacture or fabricate by using an aggregate weight of iron and steel not in excess of 4½% of the total weight of iron and steel which he put into process in the manufacture or fabrication of such component parts during the calendar year 1940; and
- (iii) Any manufacturer of low pressure cast iron boilers may, in addition, manufacture or fabricate such component parts as may be necessary to replace in his inventory component parts manufactured pursuant to (ii) above which were used to manufacture low pressure cast iron boilers pursuant to (i) above; and
- (iv) Any manufacturer of low pressure cast iron boilers who shall not have used the weight of iron and steel permitted under (ii) and (iii) above, or any portion thereof, during the first calendar quarter, may use that weight or such unused portion during the second calendar quarter of 1943; and
- '(v) Any person may assemble such bollers shipped or to be shipped in accordance with paragraphs (2) (ii) and (iii) below.
- (2) No manufacturer of low pressure cast iron boilers may ship any low pressure cast iron boilers built to use solid fuel, whether assembled or in sets of component parts, except that;

(1) Any such manufacturer may ship any such boilers authorized under paragraph (b) (1) (i); and

(ii) Any such manufacturer may ship in each of the first two calendar quarters of 1943 a number of such boilers the total weight of iron and steel of which will not exceed 2½% of the weight of iron and steel which he put into process in the manufacture, fabrication or assembly of component parts of low pressure cast iron boilers during the calendar year 1940; and

- (iii) Any such manufacturer who shall not have shipped in any calendar quarter boilers permitted under (ii) above may ship those boilers or any unshipped number thereof during any succeeding calendar quarter of 1943.
- (c) Manufacture of conversion parts. Nothing in this order shall restrict the use of iron and steel in the manufacture of parts designed for converting low pressure cast iron boilers to solid fuel burning from oil or gas burning.
- (d) Avoidance of excessive inventories. No person shall accumulate, for use in the manufacture of low pressure cast iron boilers, inventories of any materials (whether raw, semi-processed or processed) in the excess of the minimum amounts necessary to maintain production at the rates permitted by this order.
- (e) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.
- (f) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.
- (g) Reports. All persons affected by this order shall execute and file with the War Production Board on or before the tenth day of each calendar month a report on Form PD-639, and shall keep a copy of such monthly report in their own files for a period not less than two years.
- (h) Violations and false statements. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.
- (i) Appeals. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.
- (j) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.
- (k) Applicability of other orders. Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use

of any material to a greater extent than the limitations imposed by this order, the restriction of such other order shall govern unless otherwise specified therein.

(1) Communications. All reports, to be filed, appeals and other communications concerning this order, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington, D. C., Ref: L-187.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER.

Director General for Operations.

[F. R. Doc. 43–1300; Filed, January 26, 1943; (10:53, a. m.]

PART 3072—PLUMBING & HEATING TANKS
[Interpretation 1 of General Limitation
Order L-199]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 3072.1 General Limitation Order L-199:

Paragraph (b) (6) of General Limitation Order L-199 Plumbing and Heating Tanks reads as follows:

reads as follows:

"(6) No person shall install any copper, copper base alloy, nonferrous metal, stainless steel, or monel metal tank unless such tank is for use as part of the equipment of any aircraft or vessel other than a pleasure craft."

This provision does not limit the installation of underfired storage water heaters containing tanks made of the metals specified, if the heaters were assembled prior to December 19, 1942. The manufacture of such underfired storage water heaters is covered by General Limitation Order L-185, and the latter order does not prohibit the installation of heaters already assembled on December 19, 1942.

Accordingly, distributors who have inventories of these heaters in which the tanks were installed prior to December 19, 1942, may dispose of them, and they may be installed, without regard to the provisions of General Limitation Order L-199.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Laws 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER, Director General for Operations.

[F. R. Doc. 43-1301; Filed, January 26, 1943; 10:54 å. m.]

PART 3139—ASPHALT AND TARRED ROOFING
PRODUCTS AND ASPHALT SHINGLES

[General Limitation Order L-228 as Amended Jan. 26, 1943]

The fulfillment of requirements for the defense of the United States has created a situation which will result in a shortage in the supply of materials and facilities used in the manufacture of asphalt and tarred roofing products and asphalt shingles for defense, for private account and for export, unless raw material, transportation facilities and manpower are conserved through the simplification and reductions of types of these products and shingles; and for those purposes the following order is deemed necessary and appropriate in the public interest and to promote the national war effort.

§ 3139.1 General Limitation Order L-228—(a) Definitions. For the purposes of this order:

- (1) "Asphalt and tarred roofing products" means dry felt made of organic fiber impregnated with bitumen, designed and constructed to be applied to the exterior surface of a building or structure for the purpose of weather-proofing such surface. Asphalt and tarred roofing products may be coated with a more viscous bitumen than that used in impregnating the dry felt and may be surfaced with granular material such as, but not limited to, crushed rock, slate or quartz.
- (2) "Asphalt shingles" means dry felt manufactured from organic fiber, impregnated with asphalt, coated with a more viscous asphalt than that used in the impregnation of such felt, and may be surfaced with granular material such as, but not limited to, crushed rock, slate, or quartz, which dry felt so treated is designed and shaped for application in the form of shingles to the exterior surface of a building or structure for the purpose of weatherproofing such surface.
- (b) General restrictions. On and after the first day of January 1943 no person shall manufacture, fabricate, or process any asphalt and tarred roofing products or asphalt shingles except such as conform to the schedule of types, sizes and forms listed on Exhibit "A" hereto attached or as are specifically permitted by the terms of said Exhibit "A".
- (c) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.
- (d) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection, by duly authorized representatives of the War Production Board.
- (e) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.
- (f) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control

and may be deprived of priorities assistance.

(g) Appeals. Any appeal from the provisions of this order shall be made by figing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(h) Communications. Reports to be filed and all other communications concerning this order shall be addressed to War Production Board, Building Materials Division, Washington, D. C., Ref. L-228.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943. CURTIS E. CALDER, Director General for Operations.

EXHIBIT A—TYPES, SIZES AND FORMS OF ASPHALT & TARRED ROOFING PRODUCTS AND ASPHALT SHINGLES

` _	يبا	roofing ft.) ?	يد ا
-/	ished weight (pounds)	Ξ	Dry felt weight (number)
		22	5.~
	120	ندة	§ 🖸
	7-5		7 2
	Finished (poun	36.	±24
-	22	22	25
	1 25 25		72
	20	Area sq.	>,=
•	! ==	, w	l #
•	124	۲.	I A
			<u> </u>
C		l	l
Smooth finish roll-roofing:			
Type 1—Grade A	65	103	58
1 VDe 2—G180e A	65 55 45 35	103	48
Type 3—Grade B	45	103	34
	32	103	21
Type 4—Grade C	33	103	21
Mineral surfaced roll-roofing: 8	1		l.
Type 1—(Note 6)	90	108	43
Type 2-19" double coverage			. ~
Type 2-15 double coverage		103	40
selv. edge	55		43
Type 3—Edge style—one pattern.	105	123	48
Asphalt sidings: * 5		i	t .
Type 1—Roll form	105	111	48
	230	• 240	48
Type 2—Shingle form	- 230	· 230	95
Built-up roofing products:			l
Type I-Asphalt saturated felt	15	103	25
Type 2—Asphalt saturated felt	30	103	48
Demo 2 Con cotypoted folt	15	103	N.L.
Type 3—Tar saturated felt Type 4—Tar saturated felt			
Type 4—Tar saturated lett	30	103	N.L.
Type 5—Saturated and coated felt			
(for cold application)	s 55	103	N.L.
Throng & Boco choot 4	(b)	(b)	N.L.
Type 6—Base sheet 4 Type 7—Cap-sheet 7	172	100	
Type 7—Cap-sneet '	63	216	21
Asphalt shingles: 5 5		t	
Type 1-Square-butt strip (12"		ŀ	
wide)	s 220	a 240	43
m 0 4/21 3 311 TT		- 210	1 23
Type 2—"Standard" Hexagonal			
strip 9	a 170	a 200	48
Type 3-"Heavy weight" indi-	i	1	I
vidual reroofer	a 165	a 175	48
Then a 4 400 and and entire 411 in 31			l *5
Type 4—"Standard weight" indi-	مدم ا		۰. ا
vidual reroofer	<b>= 140</b>	a 160	43
-	l	1	1

Maximum.

\* Maximum.
b Optional.

Dry felt weight not limited on this item.

Represents approximate shipping weight, except where "Max." weight is stipulated, in which cases the figure designates the maximum weight permissible. The "Finished weight" includes packaging materials, also fixtures in the case of "Smooth finish roll-roofings" (all four types) and "Mineral surfaced roll-roofings" (Type 1 only.)

Represents approximate area furnished in conformity with the given "Finished weight." except where "Max." area is stipulated, in which cases the figure designates the maximum area permissible.

Represents the minimum weight in pounds per 489 sq. ft. of moisture-free felt.

Only one type and grade permissible; exterior finish optional.

4 Only one type and grade permission, each optional.

5 Texture, color and finish of "Mineral surfaced roll-roofings", "Asphalt sidings" and "Asphalt shingles" to be optional.

6 May be made in any or all of the following variations:
(a) no selvage edge; (b) with 2" selvage edge; (c) with 4" selvage edge with sufficient area to cover 100 sq. ft.

7 Coated on both sides and surfaced on one side with tale or other dusting finish.

1 Meanufacture of accessories for completing applica-

tage or other dusting miss.

§ Manufacture of accessories for completing application, such as hip and ridge shingles, starter, valley or
ridge strips, and corner pieces and soldier course for sidings, is permitted.

§ Heragonal strip shingle may be manufactured at
each plant with either two or three tabs (but not both).

[F. R. Doc. 43-1302; Filed, January 26, 1943; 10:54 a. m.l

#### PART 3188-URANIUM

[Conservation Order M-285]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of uranium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3188.1 Conservation Order M-285-(a) Definitions. For the purpose of this

"Uranium and uranium compounds" means uranium metal, uranium salts and other chemical compounds, and any alloy or mixture containing to of 1 per cent or more uranium by weight, including crude ores and residues and matte.

(b) Restrictions on sale and delivery. On and after January 26, 1943 no person shall sell or deliver (including deliveries under toll agreement) uranium or uranium compounds for use in the manufacture or decoration of glass, glassware, pottery, tile, or other ceramic product.

(c) Restrictions on purchase and receipt. On and after January 26, 1943, no person shall purchase or receive (including receipts under toll agreements) uranium or uranium compounds for use in the manufacture or decoration of glass, glassware, pottery, tile, or other ceramic product.

(d) Miscellaneous provisions—(1) Reports. Every person affected by this order shall file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe.

(2) Appeal. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(4) Routing of communications. All reports to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C., Ref: M-285.

(5) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assist-

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 8040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law

671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January 1943.

CURTIS E. CALDER.

Director General for Operations. [F. R. Doc. 43-1303; Filed, January 26, 1943; 10:54 a. m.]

#### PART 3191-AIRCRAFT

[General Limitation Order L-262]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account, and for export, of aircraft; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3191.1 General Limitation Order L-262—(a) Restrictions on transfer of link trainers and certain aircraft. No single-engined aircraft of five hundred horsepower or less, nor any "link trainer", nor any interest therein, shall be sold, leased, traded, rented, given or delivered by any individual, partnership, association, business trust, corporation or any organized group of persons (whether incorporated or not), exclusive, however, of the Army or Navy of the United States, any United States Governmental agency, any air carrier holding a certificate of necessity from the Civil Aeronautics Board, or any manufacturer of aircraft, except pursuant to specific authorization of the Director General for Operations.

(b) Applicability of priorities regula-tions. This order, and all transactions affected thereby, are subject to the provisions of priorities regulations of the War Production Board, as amended from time to time.

(c) Reports. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe.

(d) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance.

(e) Communications. All reports to be filed and other communications concerning this order should be addressed to War Production Board, Aircraft Production Board, Washington, D. C., Ref .: L-262.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of January, 1943. CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-1304; Filed, January 26, 1943; 10:54 a. m.]

Chapter XI—Office of Price Administration

PART 1340-FUEL

[RPS 88,1 Amendment 62]

#### PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

In § 1340.159 (c) (6) subdivisions (iv). (v) and (vi) are revoked and a new subdivision (x) is added as set forth below:

§ 1340.159 Appendix A: Maximum prices for petroleum and petroleum products.

- (c) Specific prices. \* \*
- (6) Residual fuel oils. \* \* \*
- (x) The maximum prices of residual fuel oils and blends thereof with distillate fuel oils of the A. P. I. gravity ranges hereafter set forth for sales in bulk lots f. o. b. refineries in the areas hereafter enumerated, exclusive of taxes, shall be as follows:

[Dollars per 42-gallon barrel]

A. P. I. gravity range	Area A 1	Area B 2	Area C 3
9.0 and below	0.85	0.80	0.74
	.90	.85	.85
	1.02	.97	.97
	1.14	1.09	1.09
	1.26	1.21	1.21
	1.32	1.27	1.27

¹ Area A comprises Kansas, excluding, however, refinerles Jocated within a radius of 25 miles of Kansas City, Mo.
² Area B comprises Oklahoma, Arkansas, Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports and Panhandle which is defined hereby as the portion of Texas north of the southern boundaries of the counties of Parmer, Castro, Swisher, Briscoe, Hall, and Childress).
³ Area C comprises New Mexico and Texas Panhandle which is defined hereby as the portion of Texas north of the southern boundaries of the counties o' Parmer, Castro, Swisher, Briscoe, Hall and Childress).

§ 1340.158a Effective dates of amendments.

(jjj) Amendment No. 62 (§ 1340.159 (c) (6) (x)) to Revised Price Schedule No. 83 shall become effective January 25.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943. PRENTISS M. BROWN. Administrator.

[F. R. Doc. 43-1283; Filed, January 25, 1943; -4:53 p. m.]

#### PART 1340—FUEL

[Rev. MPR 122,1 Amendment 1]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, filed with the Division of the Federal Register,\* has been issued simultaneously herewith.

Section 1340.260 is amended to read as set forth below:

§ 1340.260 Provision for specific ceiling prices. The Office of Price Administration, or any regional office thereof, may by order establish specific maximum prices in line with those established by this regulation for sales of solid fuels by a dealer or group of dealers in any area or locality.

However, in particular cases, the specific maximum prices established under this section may be such as to restore the December 1941 margins over de-livered cost generally prevailing in the area or locality.

This amendment shall become effective January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943. PRENTISS M. BROWN, Administrator.

[F. R. Doc. 43-1284; Filed, January 25, 1943; 4:53 p. m.]

#### PART 1351-FOOD AND FOOD PRODUCTS [MPR 237,3 Amendment 8]

ADJUSTED AND FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

The table in Appendix A, § 1351.518 is amended so that the date opposite the food products, "Vegetables, canned" un-der the column entitled "Last date for determining new maximum prices under this regulation" shall read "February 10, 1943," instead of "December 31, 1942," as it now reads.

The table in Appendix A, § 1351.518 is amended so that the date opposite the food product "Vegetables, canned" under the column entitled "Last date for filing new maximum prices with appropriate OPA District or State Offices" shall read "February 20, 1943", instead of "January 10, 1943," as it now reads.

The table in Appendix B, § 1351.519 is amended so that the dates opposite the food products "Fruit, dried", "Lard" and "Dry edible beans" under the column en-

titled "Last date for determining new maximum prices under this regulation" shall read "February 10, 1943" instead of "December 31, 1942", as it now reads for "Fruit, dried", and "Dry edible beans" and instead of "November 30, 1942" as it now reads for "Tard", and shall read it now reads for "Lard", and shall read to "Tard" at 10, 1943" instead of "February 10, 1945" instead of "Febr "March 10, 1943" instead of "February 10, 1943" as it now reads for "Flour and flour mixes".

The table in Appendix B, § 1351.519 is amended so that the "Last date for filing new maximum prices with appropriate OPA District or State Offices", shall read "February 20, 1943" instead of "January 10, 1943," as it now reads for "Fruit, dried" and "Dry edible beans", and instead of "December 10, 1942" as it now reads for "Lard", and shall read "March 20, 1943" instead of "February 20, 1943" as it now reads for "Flour and flour mixes".

§ 1351.517a Effective dates of amendments. \*

(h) Amendment No. 8 (§§ 1351.518 and 1351.519) to Maximum Price Regulation No. 237 shall become effective on January 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943. PRENTISS M. BROWN. Administrator.

[F. R. Doc. 43-1286; Filed, January 25, 1943; 4:53 p. m.]

PART 1351-FOODS AND FOOD PRODUCTS [RPS 53,1 Amendment 22]

#### FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Section 1351.151 (b) (10) (iii) is revoked and subdivision (iv) of § 1351.151 (b) (10) is redesignated subdivision (iii) thereof; and a new subparagraph (15) is added to paragraph (b) of § 1351.151; all to read as set forth below:

§ 1351.151 Maximum prices for fats and oils. \* \*

(b) (15) The maximum prices established by this Revised Price Schedule No. 53 for tallows and greases are modified so that on and after January 30, 1943, the maximum prices thereof shall be as fol-

Tallows and greases. F. o. b. producer's plant, in tankears or tank trucks, or in returnable or non-returnable drums, barrels, or tierces, carlots.

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>&</sup>lt;sup>1</sup>7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6067, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857.

<sup>&</sup>lt;sup>1</sup>8 F.R. 440.

<sup>27</sup> F.R. 8205, 8427, 8808, 9183, 9973, 10013, 10715; 8 F.R. 373, 569.

<sup>&</sup>lt;sup>1</sup>7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069.

	Titre mini- mum	F. F. A. moxi- mum	M. L. U. basis (percent)	F. A. C. maximum untreated & unbleached	Cants par prund
Edible	40.5 40.5 40	1 4 5 60 100 120 235 S	11112223	5	87 8 87 8
GREASES A. white. B. white. Yellow House. Brown Fleshing and/or Glue grease No. 1 Fleshing and/or Glue grease No. 2 No. 1 pig skin & Pigstoot. Garhage grease.	37 36 36 37.5 38 36 36 34	4 8 10 15 20 15 40 2 0	1122221212	13 or 11B	614 614 614 614 614 614

(i) Materials of less than 40 titre shall be deemed greases and shall be priced only on the basis of the maximum prices set forth above for greases; and materials of more than 39.9 titre shall be deemed tallows and shall be priced only on the basis of the maximum prices set forth above for tallows.

(ii) Each type or grade of tallow or grease must be designated by the name customarily applied to it by the trade prior to August 1, 1942, and must be priced on the basis of the specifications prescribed in this subparagraph (15) for

such type or grade.

(iii) The usual or normal differentials for grades, or grades with specifications other than those listed above, shall continue to apply. Bleaching qualities of any material, however, do not constitute any better grade, and do not justify any premium.

(iv) When shipped in less than carload lots, the usual or normal premium

shall continue to apply.

(v) The maximum prices of imported tallows and greases, with duties and taxes paid, f. o. b. port of entry, shall be the maximum prices set forth above for the nearest domestic grade at the producer's plant.

§ 1351.159 Effective dates of amend-nents. \* \* ments.

(w) Amendment No. 22 (§§ 1351.151 (b) (10) (iii) and 1351.151 (b) (15)) to Revised Price Schedule No. 53 shall become effective January 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943. PRENTISS M. BROWN, Administrator.

F. R. Doc. 43-1285; Filed, January 25, 1943; 4:52 p. m.]

PART 1499—COMMODITIES AND SERVICES [Amendment 4 to Supp. Reg. 15 to GMPR 2] SERVICES OF CARRIER OTHER THAN COMMON CARRIER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

The text of subparagraph (3) and subdivisions (3) (i) and (3) (ii) of § 1499.75 (a) are amended and a new paragraph

\*Copies may be obtained from the Office of Price Administration.

17 F.R. 8959, 9819, 10524, 11006.

(c) is added to \$ 1499.75 to read as set forth below:

§ 1499.75 Adjustment of maximum prices. (a)

(3) Services of carrier other than common carrier and storage and terminal services. Any person supplying service as a carrier, or any person supplying storage or terminal service, may apply for adjustment of the maximum price established for him under the General Maximum Price Regulation. Such application shall show: (i) that such maximum price subjects him to substantial hardship; and (ii) that the adjustment requested is necessary to permit the continuance of an essential service for which there is no adequate substitute available at a price equal to or lower than the maximum price requested.

Applications for adjustment shall be filed with the regional office of the Office of Price Administration in the region in which the service or services involved in the application are performed except that where an applicant supplies service in more than one region, or supplies service in interstate commerce as a carrier other than a common carrier, an application shall be filed with the Office of Price Administration, Washington, D. C.

A list of the regional offices with an enumeration of the states included in each region is set forth in Appendix A, (c), to this regulation.

Applications for adjustment under this subparagraph (3) shall contain the following information: \*

(b) Effective dates. \* \* \*

(5) Amendment 4 (§ 1499.75) to Supplementary Regulation No. 15 shall become effective January 30, 1943.

(c) Appendix A: Regional Offices:

Region I: Beston Regional Office, 17 Court Maine, New Hampohire, Vermont, Massachu-Street.

Region II: New York Regional Office, 350 Fifth Avenue.

Region III: Cleveland Regional Office, 363

Union Commerce Building.
Region IV: Atlanta Regional Office, Candice Building, Peachtree Street.

Region V: Dallas Regional Office, Fidelity

Region V: Danies Regional Office, 2301
Civic Opera Bidg., 20 North Wacker Drive. Region VII: Denver Regional Office, 334 U.S. National Bank Building.

Region VIII: San Francisco Regional Office, 1335 Market Street.

Administration, Washington, D. C.

States covered

cetts, Rhode Island, Connecticut. New York, New Jersey, Pennsylvania, Delaware,

Maryland, District of Columbia. Ohlo, Michigan, Indiana, Kentucky, West Virginia.

Georgia, Alabama, Mississippi, Florida, Tennemce, North Carolina, South Carolina, Vir-

ginia. Texas, Oklahoma, Louisiana, Missouri, Arkan-

Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, Nebraeka.

Colorado, New Mexico, Utah, Idaho, Montana,

Wyoming.

California, Nevada, Arizona, Oregon, Washington. Territories covered.

Region IX: Territorial Office; Office of Price Alaska, Puerto Rico, Virgin Islands, Canal Zone, Hawall.

<sup>27</sup> F.R. 3153, 3330, 3006, 3930, 3931, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5305, 5445, 5484, 5565, 5775, 5784, 5783, C053, C031, C007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7753, 7913, 8431, 8881, 9004, 6942, 8435, 8615, 8616, 9732, 10155, 10454; 8 F.R. 371.

(Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943.

PRENTISS M. BROWN, Administrator.

[F. R. Doc. 43-1287; Filed, January 25, 1943; 4:52 p. m.]

PART 1499—COMMODITIES AND SERVICES [Order 243 Under § 1499.3 (b) of GMPR1

ABRASIVE PRODUCTS COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, It is hereby ordered:

§ 1499.1479 Approval of maximum prices for reclaimed white aluminum oxide abrasive grain. (a) The Abrasive Products Company of Lansdowne, Pennsylvania may sell and deliver and agree, offer, solicit and attempt to sell and deliver reclaimed white aluminum oxide abrasive grain at a price not higher than 8¢ per pound f. o. b. Pembroke, Pennsylvania or Philadelphia, Pennsylvania.

(b) This Order No. 243 may be revoked or amended by the Price Administrator

(c) This Order No. 243 (§ 1499.1479) shall become effective January 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of January 1943. PRENTISS M. BROWN. Administrator.

[F. R. Doc. 43-1288; Filed, January 25, 1943; 4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES [Order 244 Under § 1499.3 (b) of GMPR] QUAKER MAID CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, It is

§ 1499.1480 Authorization of maximum price for sale of a special blend of tea by The Quaker Maid Company, Inc., to the United States War Department. (a) On and after January 26, 1943 the maximum price for sale of a Special Blend of India, Travencore and Java Black Tea packed in half pound cartons, 72 to a shipping case by The Quaker Maid Company, Inc., of New York, New York to the United States War Department shall be 64.12 cents per pound f. o. b. seller's factory.

(b) This Order No. 244 may be revoked or amended by the Price Admin-

istrator at any time.

(c) This Order No. 244 (§ 1499.1480) shall become effective January 26, 1943.

(Public Laws 421 and 729, 77th Congress E.O. 9250, F.R. 7871)

Issued this 25th day of January 1943. PRENTISS M. BROWN, Administrator.

[F. R. Doc. 43-1289; Filed, January 25, 1943; 4:53 p. m.]

PART 1306-IRON AND STEEL [MPR 159, Amendment 2]

FABRICATED CONCRETE REINFORCING BARS

#### Correction

In § 1300.374 (b) (7) (i) appearing on page 971 of the issue for Thursday, January 21, 1943, the third entry in the table should read "20 tons to 199.99 tons, .30, 800."

PART 1394-RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5B, Amendment 13]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

#### Correction =

The second sentence of § 1394.2403 (b) (2) appearing on page 976 of the issue for Thursday, January 21, 1943, should read: "Each page shall consist of eight (8) coupons."

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,1 Amendment 15]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

In paragraph (b) of § 1394.8011 and in paragraphs (a) and (b) of §1394.8105, the words "and (e)" are inserted after the numeral "8161 (d)"; paragraph (d) of § 1394.8161 is amended; a new paragraph (e) is added to § 1394.8161, and a new paragraph (o) is added to § 1394 .-8352, as set forth below:

#### Prohibited Acts

§ 1394.8161 General restrictions on use.

(d) No person to whom a Basic ration has been issued may use or permit the use of such ration for any driving in the gasoline shortage area other than: (1) family or personal necessity driving for which no adequate alternative-means of transportation are available, or, (2) occupational driving, or, (3) driving by naval or military personnel on leave or furlough, evidenced by duly issued leave or furlough authorization, for the purpose of visiting relatives or making social calls. Family or personal necessity driving shall be deemed to include (but shall not be limited to): driving for the purpose of essential shopping, procuring medical attention, attending religious services, attending funerals; or for the purpose of attending meetings of groups or organizations directly concerned with the occupation or profession of the per-

son using the vehicle, if such attendance is essential to or a part of the occupation or profession of such person; or driving for the purpose of meeting an emergency involving a threat to life, health, or property, or for receiving instruction or training in meeting or preparing to meet such emergencies. No Basic ration may be used for non-essential or for pleasure driving, which shall include (but shall not be limited to): driving for the purpose of attending places of amusement. recreation or entertainment (such as theaters, amusement parks, concerts, dances, golf courses, skating rinks, bowling alleys or night clubs) or sporting or athletic events (such as races or games) or social club meetings, or for sightseeing. touring or vacation travel, or for making social calls, except that naval or military personnel on leave or furlough evidenced as specified above may use such a ration for the purpose of visiting relatives or making social calls.

(e) No person to whom a non-highway ration has been issued for use with a motorboat or outboard motor for a nonoccupational purpose, may use or permit the use of such ration for the operation of any boat in the gasoline shortage area other than for (1) family or personal necessity purposes for which no adequate alternative means of transportation are available, or (2) travel by naval or military personnel on leave or furlough, evidenced by duly issued leave or furlough authorization, for the purpose of visiting relatives or making social calls. Family or personal necessity purposes shall include (but shall not be limited to) the purposes for which driving is permitted by paragraph (d) of this section and procuring and transporting essential food and supplies. No such ration may be used for non-essential or pleasure travel which shall include (but shall not be limited to) the purposes for which driving is prohibited by paragraph (d) of this section and pleasure cruising, guiding pleasure parties, and fishing, other than to procure fish as necessary food or for sale or processing: Provided. That if a boat is not otherwise operated, nothing in this paragraph shall restrict the use of such a ration to operate a boat in accordance with any requirements of the United States Coast Guard, the Coast Guard Auxiliary, or the United States Navy.

§ 1394.8352 Effective dates of amendments.

(o) Amendment No. 15 (§§ 1394.8011 (b), 1394.8105 (a) and (b) and 1394.8161 (d) and (e)) to Ration Order No. 50 shall become effective January 26, 1943.

(Pub. Law 571, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 26th day of January 1943. PRENTISS M. BROWN. Administrator.

[F. R. Doc. 43-1308; Filed, January 26, 1943; 11:25 a. m.]

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>17</sup> F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,1 Amendment 16]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Paragraph (a) of § 1394.7805, and paragraph (a), the text of paragraph (b) and subparagraph (2) of paragraph (b) and paragraph (c) of § 1394.7808 are amended and a new paragraph (p) to § 1394.8352 is added, as set forth below:

#### Transport Rations

Issuance of transport § 1394.7805 ration. (a) Except as provided in paragraph (c) of this section, no transport ration shall be issued unless the applicant has presented to the Board, at the time of application, a currently valid single unit certificate or, in the case of a fleet, a fleet certificate issued for the fleet for which a ration is sought. Except as provided in § 1394.7806, no transport ration may be issued which will allow the applicant to acquire gasoline in excess of the maximum allowed by such certificate for the quarterly period for which the ration is sought and no transport ration shall be issued more than thirty (30) days prior to the beginning of the quarterly period during which it is to be used: Provided, That transport rations issued for use prior to January 1, 1943, shall not allow an amount of gasoline (other than gasoline allowed pursuant to § 1394.7806) in excess of the maximum number of gallons of gasoline allowed by the certificate for the first quarter of 1943 plus eighty (80) per cent of the maximum number of gallons of gasoline allowed by the certificate for the remaining portion of the year 1942: Provided, further, That in the issuance of any transport ration for use in any one calendar quarter the Board shall deduct from the gallonage otherwise allowable for the whole quarter the number of gallons which have been allowed in that quarter by the issuance of any temporary transport ration for the use of the vehicle covered by the application, and: Provided, further, That during the first quarter of 1943 the Board upon issuing a transport ration on the basis of a Certificate of War Necessity will also issue the gallonage allowable for the second quarter.

\* \* --§ 1394.7808 Temporary transport rations. (a) Any person requiring gasoline for the operation of a commercial motor vehicle who has made application for a Certificate of War Necessity but who has not received a Certificate of War Necessity or notice that the application has been denied, or who has appealed from a decision of the Office of Defense Transportation granting a Certificate of War Necessity allowing a ration insufficient to serve his requirements may, on and after November 23, 1942, apply for a temporary transport ration pursuant to the provisions of paragraph (b) of this section.

(b) Any person, within the provisions of paragraph (a) of this section, or his agent, may make application to the Board, in duplicate, on OPA Form R-536. The applicant shall state the mileage and gallonage required for the operation of such motor vehicle for a period of thirty (30) days or until the end of the calendar quarter, whichever is the shorter period of time, and shall state the following:

(2) If the Certificate of War Necessity issued allows insufficient gallonage for the applicant's needs, the applicant shall state that he has appealed for revision of such allowance and that such appeal has not been decided, and shall present to the Board a notice from the Office of Defense Transportation that the appeal is under consideration.

(c) If the Board is satisfied that the applicant has applied for a Certificate of War Necessity but has not received such Certificate or a notice of denial of his application, or that the applicant has pending an appeal to the Office of Defense Transportation for the revision of the amount of gallonage allowed, the Board shall determine the number of gallons of gasoline required for the operation of such motor vehicle for a period of thirty (30) days from the date of issuance of the ration or until the end of the calendar quarter, whichever is the shorter period of time. The Board shall then issue "T-1" or "T-2" books containing coupons in sufficient number to provide the gallonage so determined. Such books shall expire at the end of the calendar quarter in which they are issued.

#### Effective Dates

§ 1394.8352 Effective dates of amendments.

(p) Amendment No. 16 (§§ 1394.7805 (a), 1394.7808 (a), (b), (b) (2), and (c)) to Ration Order No. 5C shall become effective January 26, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, 77th Cong., W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 26th day of January 1943. PRENTISS M. BROWN. Administrator.

[F. R. Doc. 43-1309; Filed, January 26, 1943; 11:25 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,1 Amendment 30]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and

has been filed with the Division of the Federal Register.\*

A new § 1394.5271 is added; § 1394.5452 (a) is amended; a new § 1394.5666 is added; and a new paragraph (dd) is added to § 1394.5902; as set forth below:

#### Heat and Hot Water Rations

§ 1394.5271 Heat or both heat and hot water emergency facilities. (a) The owner, or the person controlling the use, of oil burning equipment furnishing heat or hot water, or both, during emergency periods in premises where such heat or hot water, or both, is normally furnished by equipment using electricity, natural gas, manufactured gas, or mixed natural and manufactured gas, may obtain a ration for such purpose. An "emergency period" as used in this section is the time during which the equipment using electricity, natural gas, manufactured gas, or mixed natural and manufactured gas cannot be operated because of the temporary cessation of or reduction in the flow of such electric current or gas. Such rations may be obtained for three (3) month periods.

(b) Application for such ration shall be made to a Board on Form OPA R-1102, by the owner of the equipment, or by the person controlling the use of such equipment, or by the agent of either of them.

(c) The allowable ration shall be the amount of fuel oil requested for such purpose during the three (3) month period beginning with the date on which the ration is required: Provided, That the allowable ration shall not exceed the amount used for such purpose during the corresponding period of the preceding year, or the amount needed for ten (10) days, whichever is greater, unless the applicant shows good cause for the excess requested.

(d) After determining the allowable ration, the Board shall issue Class 3 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand as of the date of the application for the purpose for which the ration is required.

(e) No ration issued pursuant to this section shall be used except during such emergency periods, and during any such period such ration shall not be used to heat such premises to a temperature in excess of sixty-five (65) degrees Fahrenhelt except to the extent that it is impossible, for mechanical reasons, to maintain the temperature below sixtyfive (65) degrees Fahrenheit.

#### General Provisions With Respect to Issuance of Rations

§ 1394.5452 Notations on coupon sheets: validating stamp. (a) At the time of issuing a coupon sheet, the Board shall enter thereon the name and address of the person to whom it is issued and the number and kind of coupons issued therewith. The Board shall also enter on such coupon sheet the date on which it becomes valid (or October 1, 1942, in the case of an application made prior to November 1, 1942) and the date on which it expires. Such dates shall be, respectively, the first and

<sup>\*</sup>Copies may be obtained from the Office

of Price Administration.

17 FR. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 FR. 179, 274, 369, 372, 607, 565.

<sup>17</sup> F.R. 8480, 8708, 8809, 8897, 9310, 9395, 9492, 9427, 9430, 9621, 9704, 10163, 10031, 10379, 10530, 10531, 10780, 10707, 11116, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 697, 608, 977.

last day of the period for which the ra-. tion is issued. Where a coupon sheet is issued in exchange for coupons, coupon sheets or other evidences previously issued, the Board shall inscribe the word "Exchange" below the serial number on the coupon sheet so issued.

#### Restrictions on Transfers to and by Consumers

§ 1394.5666 Emergency transfers. (a) Any consumer who requires a transfer of fuel oil for an emergency involving serious threat to life, health or valuable property, and who has no currently valid coupons at the time such transfer is required, may accept a transfer of fuel oil in an amount equivalent to ten (10%) percent of the gallonage value of the ration issued or applied for (if none has been issued) but in no case more than fifty (50) gallons, by signing an Emergency Receipt, on Form OPA R-555, in duplicate, and by stating thereon the emergency purpose for which such fuel oil is required. He shall deliver to the transferor at the time of the transfer his next period coupons equal in gallonage value to the fuel oil transferred or, if he has no coupons, he shall state on the Emergency Receipt the reasons why he is unable to deliver coupons in exchange for such fuel oil. He shall also state the address and number of the Board to which he applied for a ration: Provided, That no emergency transfer of fuel oil may be obtained for any use for which a ration has not been granted or applied for under Ration Order No. 11: Provided, further, That no consumer shall accept, and no dealer or supplier shall knowingly make to such consumer, more than one emergency transfer during the heating year.

(b) Any dealer or supplier who transfers fuel oil under paragraph (a) of this section shall at the time of such transfer revise the Emergency Receipt (in duplicate) by striking out the word "Gasoline" wherever it occurs and inserting in lieu thereof the words "Fuel Oil." He shall also insert on such Emergency Receipt (in duplicate) the number and kind of coupons, if any, detached by him, his name, address and registration number, and the address and number of the Board with which he is registered. The dealer or supplier shall deliver the Emergency Receipt, in duplicate, together with any coupons received by him from the consumer, to the Board which issued the ration to such consumer or to which the consumer stated he anplied for a ration.

(c) The Board, if it is satisfied that such dealer or supplier made a transfer, in good faith, pursuant to paragraph (a) of this Section, shall issue to him, in exchange for the Emergency Receipt, (and coupons, if any) inventory coupons equal in gallonage value to the amount of fuel oil so transferred. The Board shall retain one copy of such receipt for its files and shall forward the second copy to the Board with which the dealer or supplier is registered, as stated on the receipt. If no coupons equal in gallonage value to the fuel oil transferred ac-

companied the Emergency Receipt, the Board shall deduct from any ration thereafter issued to the consumer the gallonage value of the coupons which such consumer did not deliver. If the consumer made no application to the Board for a ration, or if no appeal from a denial of his application for a ration is pending or if an appeal has been determined against the consumer, the Board shall promptly send a report thereof to its State or District Office having jurisdiction. If the Board is not satisfied that the dealer made a transfer, in good faith, of the amount of fuel oil specified in such Emergency Receipt, it shall not therefor. In such case, the Board shall return one copy of the Emergency Receipt to the dealer, and shall transmit the second copy of such Receipt to its State or District Office having jurisdiction tion.

#### Effective Date

§ 1394.5902 Effective Date of Corrections and Amendments.

(dd) Amendment No. 30 (§§ 1394.5271. 1394.5452, and 1394.5666) to Ration Order No. 11 shall become effective on February 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 26th day of January 1943. PRENTISS M. BROWN, Administrator.

[F. R. Doc. 43-1307; Filed, January 26, 1943; 11:25 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1, Amendment 11]

#### MEAT RESTRICTION

#### Correction

In the list of meats in § 1407.913 (c) and appearing on page 927 of the issue for Wednesday, January 20, 1943, the heading, "Canned Meats Produced from Controlled Meats", should precede the entry "Chopped ham, 1.28."

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,1 Amendment 37]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Subparagraphs (20), (21), and (22) of paragraph (c) of § 1407.21 are redesig-

nated subparagraphs (21), (22), and (23) respectively, and a new sub-paragraph (20) is added to paragraph (c) of § 1407.21 as set forth below:

§ 1407.21 Meaning of terms used in Ration Order No. 3. \* \* \*

(20) "State Director" means the person holding the Office of State Director in a District or State Office, or the Office of District Manager in a District Office. who has been designated by the Regional Administrator to decide, pursuant to Procedural Regulation No. 9, appeals from the decisions of local War Price and Rationing Boards located in the area over which such Office has jurisdiction.

#### \*, Effective Date

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§ 1407.222 Effective dates of amend-ents. \* \* ments.

(II) Amendment No. 37 (§ 1407.21 (c)) shall become effective February 1, 1943. (Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E)

Issued this 26th day of January 1943. PRENTISS M. BROWN. Administrator.

[F. R. Doc. 43-1310; Filed, January 26, 1943; 11:25 a. m.]

PART 1499—COMMODITIES AND SERVICES [Amendment 41 to General Maximum Price Regulation 1]

DRIED PRUNES, DRIED EDIBLE BEANS, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\* Subparagraph (7) of paragraph (a) of § 1499.9 and paragraph (1) of § 1499.20 are amended, paragraph (f) of § 1499.20 is revoked and paragraph (pp) is added to § 1499.23a of the General Maximum Price Regulation as set forth below.

§ 1499.9 Commodities exempt from this General Maximum Price Regulation. (a) This General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities:

(7) Dried prunes, dried edible beans, leaf tobacco (whether dried or green), all nuts and peanuts except cleaned or raw shelled peanuts harvested from the 1941 crop, all salted peanuts and peanut butter, linseed oil, linseed cake, linseed meal, manure, garbage, mixed seeds for house pet birds, and poultry tonics and condiments.

§ 1499.20 Definitions and explana-tions. This General Maximum Price Regulation and the terms appearing

<sup>\*</sup>Copies may be obtained from the Office of

Price Administration.

17 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845, 8 FR. 166, 262, 445, 620.

<sup>17</sup> F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9016, 9732, 10155, 10454; 8 F.R. 371.

therein unless the context otherwise provides shall be construed as follows:

(1) Raw and unprocessed agricultural, commodity or greenhouse commodity. Commodities that are picked, harvested, threshed, ginned, husked, cleaned, dried, baled, boxed, packed, transported, and/or refrigerated, without more, remain "raw and unprocessed." But operations such as slaughtering, freezing, canning, preserving, milling, crushing, straining, centrifuging, shelling of nuts, cooking, distilling, and purifying with heat, constitute processing for this purpose. For the purposes of this General Maximum Price Regulation the following commodities shall be deemed to be raw and unprocessed agricultural commodities: (1) all natural flowers and floral products, whether fresh or dried, (2) all seeds and bulbs as long as they maintain their original identity without being further processed into products commonly designated by other names. Forest products, such as lumber, wood naval stores, and mineral products, whether processed or unprocessed, shall not be deemed to be agricultural commodities.

§ 1499.23a Effective date of amendment. \* \* \*

\*

(pp) This amendment No. 41 (§§ 1499.9 (a) (7) and 1499.20 (f) and (1)) shall become effective February 1, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 26th day of January 1943.

PRENTISS M. BROWN,

Administrator.

[F<sub>c</sub>.R. Doc. 43–1311; Filed, January 26, 1943; 11:25 a. m.]

PART 1499—COMMODITIES AND SERVICES [Order 245 Under § 1499.3 (b) of GMPR]

ALBA PHARMACEUTICAL COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1481 Approval of maximum prices for sales of "Pluravit"—(a) Sales by Alba Pharmaceutical Company, Inc., of New York, New York—(1) Maximum prices. The maximum prices for sales by Alba Pharmaceutical Company, Inc., of "Pluravit" are established as set forth below:

	Maximum price per package			
Size of package	To whole- salers	Toretail- ers	To industrial purchasers	
30 tablets	\$.47 1.39 13.89	\$.57 1.67 16.67	\$19.70	

(2) Discounts, allowances, and price differentials. The Alba Pharmaceutical Company, Inc., shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of "Pluravit" to wholesalers and to retailers all quantity differentials, discounts for purchasers of different classes, trade

practices, cash discounts, credit terms, practices relating to the payment of transportation costs, and any other customary allowances which were in effect in March, 1942, on its sales of "Creamalin" Tablets.

The Alba Pharmaceutical Company, Inc., shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of "Pluravit" to industrial purchasers all quantity discounts, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of transportation costs, and any other customary allowances which were in effect in March, 1942, on its sales of "Roccal."

(b) Sales by wholesalers—(1) Maximum prices. The maximum prices for sales by wholesalers of "Pluravit" are established as set forth below:

	Maximun	
ize of	package: per pac	l:age
30	tablets	8.57
100	tablets	1.67
1000	tablets	16.67

(2) Discounts, allowances, and price differentials. Any wholesaler making sales of "Pluravit" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of shipping charges, and other customary allowances which were in effect in March, 1942, on sales by the wholesaler of "Unicap Vitamins" or on sales of the multiple vitamin product most nearly comparable to "Pluravit" if the wholesaler did not sell "Unicap Vitamins" in March, 1942.

(c) Sales by retailers—(1) Maximum prices. The maximum prices for sales by retailers of "Pluravit" except for sales on prescription as provided in subparagraph (3) of this paragraph, are established as set forth below:

| Maximum price | Size of package: | per package | 30 tablets | 2.50 | 1000 tablets | 25,00

(2) Discounts, allowances, and price differentials. Any retailer making sales of "Pluravit" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all discounts for purchasers of different classes which were in effect in March, 1942, on sales by the retailer of "Unicap Vitamins" or on sale of the multiple vitamin product most nearly comparable to "Pluravit" if the retailer did not sell "Unicap Vitamins" in March, 1942.

(3) Sales on prescription. The maximum prices established by subparagraph (1) of this paragraph shall not apply to sales on prescription of "Pluravit." The maximum price for a sale on prescription of "Pluravit" shall be determined by the person making the sale on prescription in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation, except that no report of maximum price need be filed.

(d) Sales by industrial purchasers. The maximum prices for sales by industrial purchasers of "Pluravit" tablets individually wrapped in cellophane are established as set forth below:

	Maximum price
Size of package:	per package
1 tablet	\$.03
1000 tablets	25.00

(e) Marking package with retail ceiling price. The Alba Pharmaceutical Company, Inc., shall mark each package of 30 tablets of "Pluravit" sold by it with the words "Celling Price 85 cents," each package of 100 tablets of "Pluravit" with the words "Ceiling Price \$2.50," and each package of 1000 tablets of "Pluravit" with the words "Ceiling Price \$25.00." These words shall be printed or stamped in letters clearly legible and at least one quarter as large as those used for the name of the product on the package in which "Pluravit" is customarily sold to the ultimate consumer on a non-prescription sale. No retailer, except a person making a sale on prescription, shall make sales of "Pluravit" unless the package in which the product is sold is marked with the retail ceiling price as required by this paragraph.

(1) Notification of maximum prices—
(1) By the Alba Pharmaceutical Company, Inc., to wholesalers. The Alba Pharmaceutical Company, Inc., shall supply a written notification to each wholesaler before or at the time of its first delivery of "Pluravit" to such wholesaler. The written statement shall read

as follows:

OPA has authorized us to charge wholecalers 47¢ for 39 tablets, 81.39 for 100 tablets, and 813.69 for 1000 tablets of "Pluravit", subject to all customary cash discounts and allowances.

Wholecalers are authorized to establish maximum prices of 57% for 30 tablets, \$1.67 for 100 tablets, and \$16.67 for 1000 tablets of "Piuravit", subject to all customary cash discounts and allowances.

(2) By the Alba Pharmaceutical Company, Inc., to retailers via wholesalers. The Alba Pharmaceutical Company, Inc., shall include a written notification with each shipping unit of "Pluravit" for a period of three months. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice. The written notification shall read as follows:

OPA has authorized wholesalers to charge 57¢ for 39 tablets, \$1.67 for 109 tablets, and \$16.67 for 1090 tables of "Pluravit", subject to all customary cash discounts and allowances.

Retailers are authorized to establish ceiling prices of 85¢ for 30 tablets, \$2.50 for 100 tablets, and \$25.00 for 1000 tablets of "Pluravit", except for cales on prescription.

Maximum prices for sales on prescription

Maximum prices for sales on prescription must be determined under section 3 (a) of the General Maximum Price Regulation, except that no report of the maximum price need be filed.

If the initial sale by a wholesaler to a

If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice.

pharmaceutical preparation in tablet form prepared from "Creamalin" liquid,

a suspension of 5.5 percent aluminum

aqueous solution of high molecular alkyl-

dimethyl-benzyl ammonium chloride used as a disinfectant and antiseptic.
(5) "Wholesaler" means any person who buys "Pluravit" and resells it, with-

-out substantially changing its form, to

(6) "Retailer" means any person, ex-

(7) "Industrial purchaser" means a

(h) The Alba Pharmaceutical Com-

cept an industrial purchaser, who buys

"Pluravit" and resells it directly to con-

person who buys "Pluravit" and sells or

pany, Inc., shall submit to the Office of

Price Administration in Washington.

D. C. such reports as may from time to

or amended by the Price Administrator

shall become effective on January 27,

(i) This Order No. 245 may be revoked

(j) This Order No. 245 (§ 1499.1481)

dispenses it to its employees.

time be required in writing.

(4) "Roccal" means a 10 percent

hydroxide.

retailers.

at any time.

1943.

(3) "'Creamalin' Tablets" means a

OPA requires that you keep this notice for

(3) By the Alba Pharmaceutical Company, Inc., to retailers. The Alba Pharmaceutical Company, Inc., shall supply a written notification to each retailer before or at the time of its first delivery of "Pluravit" to such retailer. The written statement shall read as follows:

OPA has authorized us to charge retailers 57¢ for 30 tablets, \$1.67 for 100 tablets, and \$16.67 for 1000 tablets of "Pluravit", subject to all customary cash discounts and allowances.

Your ceiling prices are authorized to be 85¢ for 30 tablets, \$2.50 for 100 tablets, and \$25.00 for 1000 tablets of "Pluravit", except for sales on prescription.

Maximum prices for sales on prescription must be determined under section 3 (a) of the General Maximum Price Regulation, except that no report of the maximum price need be filed.

OPA requires that you keep this notice for examination.

(4) By the Alba Pharmaceutical Company to industrial purchasers. The Alba Pharmaceutical Company, Inc., shall supply a written notification to each industrial purchaser before or at the time of its first delivery of "Pluravit" to such industrial purchaser. The written statement shall read as follows:

OPA has authorized us to charge industrial purchasers \$19.70 for 1000 tablets of "Pluravit", subject to all customary cash discounts and allowances.

Your ceiling prices are authorized to be 3¢ for one tablet individually wrapped in cello-phane, and \$25.00 for 1000 tablets of Pluravit".

OPA requires that you keep this notice for examination.

(g) Definitions. When used in this or-

der the term:
(1) "'Pluravit'" means a vitamin preparation manufactured by the Alba · Pharmaceutical Company, Inc., each tablet of which contains the following amounts of specific vitamin substances:

Vitamin A. ... 5,000 U.S.P. units. Vitamin B, (Thiamin 2.0 mg. Chloride. Vitamin B, (Riboflavin) 2.0 mg.

Nicotinamide \_\_\_\_\_ 20.0 mg. Calcium Pantothenate\_\_\_ 1.0 mg. Vitamin B₀ (Pyridoxine .5 mg.

Hydrochloride). 

The tablets in the package of 1,000 tablets are packed in a glass bottle and are individually wrapped in cellophane. The tablets in the packages of 30 tablets and 100 tablets are packed in glass bottles but are not individually wrapped.

(2) "'Unicap Vitamins'" means a vitamin preparation manufactured by The Upjohn Company, each capsule of which contains the following amounts of specific vitamin substances:

Vitamin A. 5,000 U.S. P. units.

Chloride).
Vitamin B<sub>2</sub> (Riboflavin)\_ 1.0 mg. Nicotinic Acid Amide\_\_\_\_ 20.0 mg. Calcium Pantothenate\_\_\_ 1.0 mg. Vitamin Bo (Pyridoxine .2 mg. Hydrochloride).

Vitamin C\_\_\_\_\_ 500 U.S.P. units. Vitamin D\_\_\_\_\_ 500 U.S.P. units.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871) Issued this 26th day of January 1943. PRENTISS M. BROWN. Administrator.

[F. R. Doc. 43-1312; Filed, January 26, 1943; 11:26 a. m.]

#### TITLE 49-TRANSPORTATION AND RAILROADS

Chapter I-Interstate Commerce Commission

PART 120-ANNUAL, SPECIAL OR PERIODICAL REPORTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the

20th day of January, A. D. 1943.

In the matter of Annual Reports from Switching and Terminal Companies of Class III and the corresponding section of the Code of Federal Regulations, the following order was entered:

It is ordered. That the order of this Commission dated December 5, 1941, In the Matter of Annual Reports from Switching and Terminal Companies of Class III be, and it is hereby, vacated and set aside effective January 1, 1943, and the following order shall become effective:

§ 120.13 Form prescribed for small switching and terminal companies. (a) All Switching and Terminal Companies of Class III within the scope of Section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1942, and for each succeeding year until further order, in accordance with Annual Report Form D1 (Small Switching and Terminal Companies), which is hereby approved and made a part of this

(b) The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, secs. 434-435, 41 Stat. 493, sec. 13, 54 Stat. 916; 49 U.S.C. 20 (1)-(10))

By the Commission, Division 1. [SEAL] W. P. BARTEL. Secretary.

[F. R. Doc. 43–1321; Filed, January 26, 1943; 11:46 a. m.l

#### Notices

#### DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

REVIEW OF APPLICATIONS FOR PRIORITY ASSISTANCE

DELEGATION OF AUTHORITY TO DIRECTOR OF FOOD DISTRIBUTION

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such order, there is hereby delegated to the Director of Food Distribution, or such employees of the United States Department of Agriculture as may be designated by him, the authority to approve all applications for priority assistance and recommend priority ratings relating to non-food materials to be used in connection with those aspects of the food program administered by the Food Distribution Administration, whenever in his judgment the granting of such priority assistance or rating is necessary or appropriate to effectuate the purposes of the food program, and, otherwise, to deny such applications. Such denial shall be final.

(E.O. 9280, 7 F.R: 10179)

Issued this 26th day of January 1943. [SEAL] CLAUDE R. WICKARD, Secretary of Agriculture.

[F. R. Doc. 43-1306; Filed, January 26, 1943; 11:30 a. m.]

#### FEDERAL COMMUNICATIONS COM-MISSION.

[Docket No. 6482]

THE GEORGE HARM STATION (KARM)

NOTICE FOR HEARING

In re application of KARM, The George Harm Station (KARM); dated April 24, 1942, for modification of license. Class of service, broadcast; class of station, broadcast; location, Fresno, Cali-

<sup>&</sup>lt;sup>2</sup> Filed as part of the original document.

fornia; operating assignment specified: Frequency, 1030 kc; power, 5 kw (DA—day and night); hours of operation, unlimited:

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion, dated April 27, 1942, or as relaxed September 22, 1942.

2. To determine the extent of any interference which would result from the simultaneous operation of Station KARM, as proposed and Station KOB as licensed to operate on 1030 kc.

3. To determine the areas and populations which would be deprived of primary service, particularly from Station KOB (operating on 1030 kc) as a result of the operation of KARM as proposed, and what other broadcast service is available to those areas and populations.

4. To determine the areas and populations which might be expected to gain primary service should Station KARM operate as proposed, and what other broadcast service is available to those areas and populations.

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by granting this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of §1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: KARM, The George Harm Station, Radio Station KARM, 1333 Van Ness Avenue, Fresno, California.

Dated at Washington, D. C., January 25, 1943.

By the Commission.

[SEAL]

T. J. Slowie, Secretary.

[F. R. Doc. 43-1295; Filed, January 26, 1943; 10:22 a. m.]

#### FEDERAL TRADE COMMISSION.

[Docket No. 4741]

AUTOMATIC ELECTRICAL DEVICES CO.
ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of January, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41).

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, March 18, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Office of Postmaster, Post Office Building, Cincinnati, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. Johnson, Secretary.

[F. R. Doc. 43-1313; Filed, January 26, 1943; 11:32 a. m.]

#### [Docket No. 4810]

BUREAU OF RESEARCH, ETC., ET AL.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of January, A. D. 1943.

In the matter of Leo Greenberg, individually and trading as Bureau of Research, Reclassification Department, and William Edgar Spicer, individually.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41).

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, February 9, 1943, at eleven-fifteen o'clock in the forenoon of that day (eastern standard time) in Hearing Room, Federal Trade Commission, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 43-1314; Filed, January 26, 1943; 11:32 a. m.]

[Docket No. 4832]

"International Research", etc., et al.

ORDER APPORITING TRIAL EXALINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of January, A. D. 1943.

In the matter of Edward Lowenthal, an individual, trading under the names International Research and Bureau of Industrial Allocation and Sidney Dean Sarff and H. J. Whittington, individuals.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41).

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, February 9, 1943, at ten-fifteen o'clock in the forenoon of that day (eastern standard time) in Hearing Room, Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 43-1315; Filed, January 26, 1943; 11:32 a. m.]

[Docket No. 4863]

"International Trustees," et al.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of January, A. D. 1943. In the matter of Guy C. Beals, trad-

In the matter of Guy C. Beals, trading under the name International Trustees, and Spiegel, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and evidence in this proceeding and to perform all other duties authorized by law:

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, February 18, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Civil Service Room 306, Federal Building, Youngstown, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial ex-

aminer is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 43-1316; Filed, January 26, 1943; 11:32 a. m.]

#### [Docket No. 4870]

"NATIONAL ADMINISTRATORS," ET.AL.

ORDER APPOINTING TRIAL EXAMINER, ETC.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of January, A. D. 1943.

In the matter of Don Trainor, trading under the name National Administra-

tors, et al.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other

duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, February 26, 1943, at ten o'clock in the forenoon of that day (eastern standard time) in Room 1123, New Post Office Building, 433 West Van

Buren Street, Chicago, Illinois.
Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed-to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 43-1317; Filed, January 26, 1943; 11:32 a. m.]

#### OFFICE OF ALIEN PROPERTY CUS-TODIAN.

[Vesting Order 402]

 PATENTS AND PATENT INTERESTS OF MAX C. MILLER

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Max C. Miller is interned in an alten detention camp, and determining that although not within any designated en-emy country he is nevertheless controlled by or acting for or on behalf of or as a cloak for a designated enemy country (Germany) or a person within such country, and that the national interest of the United States requires that he be treated as a national of the aforesaid designated enemy country (Germany), and, therefore, that he is a national of such designated enemy country (Ger-

many);
2. Finding that the following described property is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property constitutes interests held therein by, the aforesaid Max C. Miller: (a) All Right, title and interest, including all accrued royalties and all damages recov-

erable at law or in equity from any person, firm, corporation or government for past in-fringement thereof, in and to the patents, the numbers of which are listed in Exhibit A attached hereto and made a part hereof, and the titles to which stand of record in the United States Patent Office in the name of said Max C. Miller.

(b) Undivided interest of said Max C. Miller in and to United States Letters patent identified as follows:

Numbers	Issue dates	Inventors ್:	Titles
1, 734, 224 2, 185, 225 2, 295, 597	11-5-29 1-2-40 9-15-42	al.	Match receptacle.  Braiding machine stop motion. Pattern mechanism for knitting machines.

(c) Interest of said Max C. Miller in and to a certain contract dated December 9, 1939; acknowledged December 9, 1939, December 12, 1939, December 15, 1939 and December 20, 1939; and recorded in the United States Patent Office on September 26, 1941, at Liber D 189, page 206, by and between Max C. Miller, Wildman Manufacturing Company, Knitting Machines Corporation, and Textile Machine Works, with respect to patents identified as follows:

Numbers	Issue dates	Inventors	Titles
			Knitting machine. Knitting machine and process. Knitting machine.

3. Having made all determinations and taken all action, after appropriate consulta-tion and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest:

hereby vests in the Alien Property Custodian all of the property hereinbefore described in subparagraphs 2 (a), 2 (b) and 2 (c), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be-deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form

APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section

10 of said Executive Order.
Executed at Washington, D. C. on November 19, 1942.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

#### Ехнівіт А

Patents the titles to which stand of record in the United States Patent Office in the name of Max C. Miller, and which are identified as follows:

Patent number	Patent date	Inventor	Titlo
1, 738, 787	12/10/29	M. Miller.	Method and machine for knitting tubular fabric having closed
1,790,940 1,797,430 1,830,069 1,837,470	2/ 8/31 3/24/31 11/ 3/31 12/22/31	M. Miller. M. Miller. M. Miller. M. Miller.	ends, Knitting machine, Knitting machine, Knitting machine, Yarn changing mech- anism for knitting
1,876,259 1,876,721	9/6/32 9/13/32	M. Miller. M. Miller.	machines. Knitting needle. Stocking and method of knitting the same.
1,876,722 1,877,573 1,923,994 1,930,819	9/13/32 9/13/32 8/22/33 10/17/33	M. Miller. M. Miller. M. Miller. M. Miller.	Knitting machine. Knitting machine. Knitting machine. Knitting machine. Knitting machine.
1, 963, 240 1, 995, 645	6/19/34 3/26/35	M. Miller. M. Miller.	Heel fabric and meth- od of knitting tho the same.
2, 056, 201	10/6/36	M. Miller.	Knitting machine. Loop lifting point and method of produc- ing the same.
2,068,688 2,100,345 2,126,797 2,153,582	1/20/37 11/30/37 8/16/38 4/11/39	M. Miller. M. Miller. M. Miller. M. Miller.	Knitting machine. Knitting machine. Knitting machine. Knitting machine.
2, 169, 272 2, 203, 693 2, 248, 506	8/15/39 6/11/40 7/8/41	M. Miller. M. Miller. M. Miller.	Textile machinery. Knitting machine. Knitting machine.
2,273,802 2,278,522	2/17/42 4/7/42	M. Miller.	Loop regulating mech- anism for flat knit- ting machines. Knitting machine.
2, 282, 663	<i>5/</i> 12/42	M. Miller.	Knitting machine.

[F. R. Doc. 43-1294; Filed, January 26, 1943; 9:51 a. m.]

# [Vesting Order 713]

FORTRA, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that 63 shares of no par value common capital stock of Fortra Inc., a New York corporation, New York, New York, are registered in the names of and owned by the following individuals in the following respective amounts:

ames: shar	
Rudolf T. Kessemeier	11
Hermann Muhlenbrock	26
	26
<b>_</b>	
Total	63

2. Finding that said corporation is a business enterprise within the United States and that said 63 shares constitute all the outstanding capital stock of said business enterprise and represent ownership thereof;

3. Determining that said Rudolf T. Kessemeier, Hermann Muhlenbrock and Edward H. Dederick are controlled by or acting for or on behalf of a designated enemy country (Germany) or a person within such country and are, therefore, nationals of the aforesaid

designated enemy country (Germany);
4. Determining that said Fortra, Inc. is controlled by or acting for or on behalf of a designated enemy country (Germany) or a person within such country and is, therefore, a national of the aforesaid designated enemy

country (Germany);
5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);
6. Having made all determinations and

taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest:

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 1 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States. and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action

should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 18, 1943.

LEO T. CROWLEY, [SEAL] Alien Property Custodian.

[F. R. Doc. 43-1305; Filed, January 26, 1943; 11:07 a. m.l

OFFICE OF PRICE ADMINISTRATION.

[Order 22 Under Rev. MPR 169]

E. KAHN'S SONS CO. ET AL

ORDER DENYING APPLICATIONS FOR ADJUSTLIERT

Order No. 22 under Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

In the matter of E. Kahn's Sons Company, 3169-203; E. Kahn's Sons Company, 3169-204; South Philadelphia Dressed Beef Company, Inc., 3169-211; Cross Bros., 3169-213; E. Kahn's Sons Company, 3169–216; Sieck Packing Company, 3169–217; The Val. Decker Packing Company, 3169-218; David Levi and Company, Incorporated, 3169-219; Dugdale Packing Company, 3169-220; The Val. Decker Packing Company, 3169-223; The Val. Decker Packing Company, 3169-224; Lincoln Meat Company, Incorporated, 3169-225; The Val. Decker Packing Company, 3169-226; South Philadelphia Dressed Beef Company, Inc., 3169-227; Armour and Company of Delaware. 3169-228; Armour and Company of Delaware, 3169-229; South Philadelphia Dressed Beef Company, Inc., 3169-230 to 237; Wilson and Company, 3169-238; E. Kahn's Sons Company, 3169-239; The Val. Decker Packing Company, 3169–241; Estherville Packing Company, 3169-242; E. Kahn's Sons Company, 3169-243; Armour and Company of Delaware, 3169-245; Armour and Company of Delaware, 3169-244; Kingan and Company, 3169-246; Kingan and Company, 3169-247; Kingan and Company, 3169-248; The Val. Decker Packing Company, 3169-249; A. Salus and Son, Incorporated, 3169-250 to 262; Cudahy Brothers Company, 3169-263; E. Kahn's Sons Company, 3169-264; Cudahy Brothers Company, 3169-265; Company, 3169-266: Hunter Packing Hunter Packing Company, 3169-267: Hunter Packing Company, 3169-268: South Philadelphia Dressed Beef Company, Inc., 3169-271 to 278, applicants.

On or before December 18, 1942, E. Kahn's Sons Company, 3241 Spring Grove Avenue, Cincinnati, Ohio, South Philadelphia Dressed Beef Co., Inc., 232-50 Moore Street, Philadelphia, Pennsylvania, Cross Bros., 3600 No. Front Street, Philadelphia, Pennsylvania, Sieck Packring Company, 3506 Placentia Street, Riverside, California, The Val. Decker Packing Company, 727 East Ash Street, Piqua, Ohio, David Levi and Company, Incorporated, 3900 Emerald Ave., Chicago, Illinois, Dugdale Packing Company, St. Joseph, Missouri, Lincoln Meat Company, Inc., 3500 South Halsted Street, Chicago, Illinois, Armour and Company of Delaware, Union Stock Yards, Chicago, Illinois, Wilson and Company, 4100 Ashland Ave., Chicago, Illinois, Estherville Packing Company, Estherville, Iowa, Kingan and Company, Indianapolis, Indiana, A. Salus and Son, Inc., 3 North Delaware Philadelphia, Pennsylvania, Avenue, Cudahy Brothers Company, Cudahy, Wisconsin, and Hunter Packing Company, East St. Louis, Illinois, filed separate applications for adjustment of maximum prices established under Maximum Price Regulation No. 169, as amended, Beef and Veal Carcasses and Wholesale Cuts, in accordance with the provisions therefor contained in Procedural Regulation No. 6. Maximum Price Regulation No. 169, as amended, has been further amended, revised, and redesignated Revised Maximum Price Regulation No. 169. The Price Administrator deems it appropriate that the several applications for adjustment be disposed of together. Due consideration has been given to the applications for adjustment and to each of them, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Procedural Regulation No. 6, issued by the Office of Price Ad-

ministration, It is ordered:

(a) That the foregoing applications for adjustment and each of them be, and they hereby are, denied in whole;

(b) That each applicant who has received payment for any beef carcass or wholesale cut at the price requested in its application shall refund to the purchaser the difference between such requested price and the maximum price applicable to the sale of such beef carcass or wholesale cut at the time of such sale under Maximum Price Regulation No. 169, as amended, or Revised Maximum Price Regulation No. 169, as the case may be;

(c) This Order No. 22 shall become effective January 26, 1943.

Issued this 25th day of January 1943.

PREMISS M. BROWN, Administrator.

[F. R. Doc. 43-1282; Filed, January 25, 1943; 4:53 p. m.]

[Order 125 Under MPR 183]

CERTAIN READY MIXED EXTERIOR LINSEED OIL PARITS

APPROVAL OF MAXIMUM PRICES

Correction

In the document appearing on page 897 of the issue for Tuesday, January 19, 1943, the paragraph which is designated (6) should be designated (b).

[Order 130 Under MPR 183]

NATIONAL TILE CO., INC., ET AL.

ORDER SETTING TEMPORARY MAXIMUM PRICES

Correction

In the table of paragraph (a) appearing on page 898 of the issue for Tuesday, January 19, 1943, the name "A. N. Veiner" should read "A. H. Veiner."

#### WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PAR-TIALLY REVOKING AND PARTIALLY STOP-PING CONSTRUCTION OF CERTAIN PROJ-ECTS

The Director General for Operations of the War Production Board has issued certain orders partially stopping the construction and partially revoking applicable preference ratings stopping the construction of the project affected and partially revoking the ratings applicable thereto which orders are listed in Schedule A below. For the effect of each such order upon the construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 25, 1943.

ERNEST KANZLER, Director General for Operations.

#### SCHEDULÉ A

Name and address of builder	Project affected	Date of issu- ance of revoca- tion order
U. S. War Department Corps of Engineers, Washington, D. C.	Flood Control Project Center Hill Reservoir, Tennessee.	1/23/43
U. S. War Department, Corps of Engineers, Washington, D. C.	Flood Control Project Dale Hollow Reservoir, Tennessee.	1/23/43

[F. R. Doc. 43-1293; Filed, January 25, 1943; 5:13 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF IS-SUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 25, 1943.

ERNEST KANZLER, Director General for Operations.

SOHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of Issuance of rova- cation order
P-19-e	.16198	Illinois Department of Public Works and Build- ings, Division of Highways, Springfield, Ill.	Lincoln, III., SN-FA 26 (23) (3)	1/10/13
P-19-e	18536	Illinois Department of Public Works and Build-	Williamsville, Ill., SN-FA 26	1/10/43
		ings, Division of Highways, Springfield, Ill.	(26) (2) roadway.	i ' '
P-19-e	20614	Illinois Department of Public Works and Build-	Macoupin-Montgomery Co.,	1/19/43
P-19-0	19141	ings, Division of Highways, Springfield, Ill. Illinois Department of Public Works and Build-	III., SN-FA 113 C(1). Broadwell, III., SN-FA 26 (24)	1/19/43
		ings, Springfield, III.	(2) Bridges.	

[F. R. Doc. 43-1290; Filed, January 25, 1943; 5:13 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF IS-SUANCE OF REVOCATION ORDERS PAR-TIALLY REVOKING AND STOPPING CON-STRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the projects.

ect, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 25, 1943.

ERNEST KANZLER,
Director General for Operations.

#### SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	? Project affected	Date of issuance of revo- cation order
P-19-h	34662	War Relocation Authority, Central Regional Office, Denver, Colo.	Two elementary schools at Granada Re- location Center, Grenada, Colo.	1/10/43

[F. R. Doc. 43-1291; Filed, January 25, 1943; 5:13 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF STOP CONSTRUCTION OR-DERS STOPPING CONSTRUCTION OF CER-TAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain stop construction orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 25, 1943.

ERNEST KANZLER, Director General for Operations.

#### · SCHEDULE A

	tion order
(2).	1/22/43
	. SN-FAP 169-G (2). Derokee, Kans., AI- FAP, 578-A (1).

#### SCHEDULE A-Continued

		l
Name and address of builder	Project affected	Data of Issu- ance of stop con- struc- tion order
Iowa State Hwy. Comm., Ames, Iowa.	Glenwood & Pacific Junction, Iowa FAB 842-A (1).	1/22/43
Iowa State Hwy. Comm., Ames Iowa.	Marshallton, Iowa, FAGM 558-A (1) (Off),	1/22/43
Iowa State Hwy. Comm., Ames, Iowa.	Marshallton, Iowa, FAGM 470-A (1) (Off),	1/22/43
Georgia State Hwy. Board, Atlanta, Ga.	Clayton, Ga., FAP	1/22/43
Georgia State Hwy. Board, Atlanta, Ga.	Carrollton, Ga., FAP	1/22/43
Georgia State Hwy. Board, Atlanta, Ga.	Belle Vista & Hunter, Ga., FAP 355-D (2)	1/22/43
Georgia State Hwy.	Everett City, Ga., FAP 355-B (2).	1/22/13
Board, Atlanta, Ga. Georgia State Hwy.	l. Odum & Sereven, Ga.,	1/22/13
Board, Atlanta, Ga. Colorado State Hwy.	FAS 17-B (I). Summit Lake, Colo.,	1/22/13
Dept., Denver, Colo. Colorado State Hwy.	WPSS 410-B (1). Pultney, Colo., FAS	1/22/13
Dept., Denver, Colo. Washington Dept. of Hwys., Olympia,	Pultney, Colo., FAS 46-O (1). Rocky Point, Wash., SN-FAP 32-F (1);	1/22/13
Wash. Washington Dept. of Hwys., Olympia, Wash.	SN-FAGH 32-C (1), Kelso, Wash., SN- FAP 32-E (1).	1/22/43
Washington Dept. of Hwys., Olympia, Wash.	Mortins Bluff, Wash. SN-FAP 5 (2), 147- G (1); SN-FAP 32-	1/22/13
	Ö (i); SN-FAP 32- D (i).	
Oregon State Hwy. Comm., Salem, Oreg.	Smith Hill, Oreg., SN- FAP 138-B (1),	1/22/43
Oregon State Hwy.	Portland Oreg., FAGM & A (1).	1/22/13
Michigan State Hwy. Dept., Lansing, Mich.	Norway, Mich., SN- FAGM 136-I (on) & SN-FAGM 173-K	1/22/13
MICH.	(1).	

[F. R. Doc. 43-1292; Filed, January 25, 1943; 5:13 p. m.]